RED PINES

RECORD OF DECISION

NOVEMBER 2006

NEZ PERCE NATIONAL FOREST
RED RIVER RANGER DISTRICT
IDAHO COUNTY, IDAHO

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1.1 DECISION OVERVIEW

After extensive analysis I have decided to implement Alternative E as described in the Final Environmental Impact Statement (FEIS) for the Red Pines project with the modifications as described in Section 1.4 and 1.5 of this Record of Decision. My selected alternative will be referred to as Alternative E - Modified. In making this decision I have considered the condition of the vegetation in Red River, the current aquatic habitat conditions of Red River, it's tributaries, the concerns of the community of Elk City, public comments, the environmental effects of this project including laws and regulations. I believe my decision is the best balance of all of these factors.

The project is on the Red River Ranger District of the Nez Perce National Forest. The project area is located within the Red River watershed within the Nez Perce National Forest in Idaho County. The Red River watershed is located south and southeast of Elk City, and includes National Forest System lands.

The purpose of the Red Pines project is to reduce existing and potential fuel loads to reduce the effects of potential large-scale wildfire, improve the safety and effectiveness of firefighters in fire suppression activities, protect private property and public safety, and contribute to the economic and social well being of residents and visitors within proximity to the project area.

Alternative E-Modified would implement reduction of forest fuels through treatment on 3,452 acres within Red River watershed, including activity fuels treatments. This alternative would not treat fuels, harvest timber or construct roads in Inventoried Roadless Areas, or newly allocated old growth areas. Fuels reduction activities would not occur in riparian areas or high hazard landslide prone areas. This alternative would implement restoration activities concurrently with fuels reduction activities.

Road reconditioning would occur on 79 miles of road and 18 miles of temporary road would be constructed. The project would not construct any permanent roads.

The watershed restoration activities include: 104 miles of road decommissioning, 577 acres of soil restoration, up to 56 stream crossing improvements, up to 21 culvert/log bridge removals, 21 mine site rehabilitations, riparian restoration along 20 miles of stream; up to 5 miles of fencing adjacent to streams, 8 miles of in-stream fish structure maintenance and 28 miles of large woody material placement; 2 miles of in-stream restoration at the "Narrows"; recreation site improvement of 15 acres, 1 rock quarry restoration and decommissioning of up to 3 sediment traps.

Watershed restoration activities would be implemented prior to or concurrently with fuel reduction treatments as described in the Biological Opinions (Appendix B).

This alternative would approve four site-specific, project area, amendments to the Nez Perce Forest Plan. One amendment changes the standards for soils and three amendments make changes or additions to Appendix A of the Forest Plan, fisheries/water quality objectives.

The purpose of this Record of Decision is to explain the rationale of my decision. The document is organized in the following manner.

First, I reiterate the purpose and need. Then, I describe the activities I have approved in Alternative E – Modified, then a brief review of the alternatives I considered, followed by my decision rationale. Next I summarize the public involvement process, and my findings of consistency with relevant laws and policies. I conclude with information about appeal provisions, implementation and how to contact us for more information.

In this decision I highlight where more information can be found in this Record of Decision (ROD) document or the Final Environmental Impact Statement (FEIS) or the project file (PF) within (parenthesis like these).

1.2 PURPOSE OF AND NEED FOR ACTION

The Forest Plan provides direction for the management of the Red Pines project area and the desired future condition. The purpose and need for this project was determined after comparing the desired future condition and the existing condition of the Red Pines project area. The area's existing condition was determined using field data, findings from the South Fork Clearwater Subbasin Landscape Assessment (SFLA) and the Red River Ecosystem Analysis at the Watershed Scale (EAWS).

The purpose of the Red Pines project is to reduce existing and potential fuel loads to reduce the effects of potential large-scale wildfire, improve the safety and effectiveness of firefighters in fire suppression activities, and contribute to the economic and social well being of residents and visitors within proximity to the project area. Specifically, this project is needed to:

- Remove dead and dying trees, which contribute to existing and future fuel loads.
- Reduce timber stand densities, by thinning dead and live trees.
- Reduce the level of ladder fuels and other flammable materials that would produce crown fires.
- Reduce the risk of high severity fires in areas important for public safety or cultural or environmental values.
- Maintain existing fire resistant tree species in areas where understory trees are encroaching due to fire exclusion.

1.3 DESCRIPTION OF MY DECISION

As the Forest Supervisor, I am the responsible official for the Red Pines project. Based on the analysis documented in the Red Pines - Final Environmental Impact Statement (FEIS) and the project file, I have decided to make the following decisions and document them in this Record of Decision (ROD).

The Red Pines Project area would be entered for fuel reduction and watershed improvement activities following Alternative E-Modified as described in this document.

- Fuel reduction treatment would occur on 3,452 acres as described in ROD.
    - Fuel reduction activities would occur using a combination of shelterwood or irregular shelterwood, clearcut and precommercial thinning, using ground based harvest systems as described in the ROD Appendix E. Activity fuel treatment would include: underburning, excavator piling, broadcast burning and hand piling. Roads would be reconditioned for use (79 miles) and 18 miles of temporary road would be constructed and decommissioned within three years.
    - Multiple restoration activities would be implemented in 21subwatersheds as described in Appendix E of the ROD. Additional approved discretionary restoration activities are listed in parenthesis. Restoration activities include: 104 miles of road decommissioning, 577 acres of soil restoration, 43(13) stream crossing improvements, 19(2) culvert/log bridge removals, 21 mine site rehabilitations, riparian restoration along 20 miles of stream; 1(5) miles of fencing adjacent to streams, 8 miles of in-stream fish structure maintenance and 28 miles of large woody material placement; 2 miles of in-stream restoration at the "Narrows"; recreation site improvement of 15 acres, 1 rock quarry restoration and decommissioning of up to 3 sediment traps. These activities would be implemented prior to or concurrent with fuels reduction activities.
- Management requirements, project design measures, mitigation measures, and "Best Management Practices" are necessary to meet Forest Plan standards and guidelines for all resources are specified in Appendix A and B of the ROD.
- Monitoring requirements are appropriate and necessary to evaluate project implementation and effectiveness of mitigation measures and are identified in Appendix A and B of the ROD.
- Site-specific Forest Plan amendments are approved for this project. One amendment to the soil standard and three amendments in fisheries/water quality as specified in Appendix D of the ROD.

1.3.1 MODIFICATION OF ALTERNATIVE E

I have decided to implement Alternative E, of the Red Pines project Final Environmental Impact Statement, with the modifications that are identified in this document. The description of the Selected Alternative, referred to as Alternative E-Modified, is followed by the rationale for the decision. Maps RP-1 and RP-2, in this ROD, display Alternative E-Modified.

In making this decision, I considered information in the FEIS and supporting project file; information presented in meeting and informal sessions I attended; all public comments; results of coordination and consultation with: the Nez Perce Tribe, NOAA-Fisheries, U.S. Fish and Wildlife Service, U.S. Environmental Protection Agency, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, and the Idaho State Historic Preservation Office.

In response to these comments additional analysis was completed relative to wildlife and old growth. This information is located in the project file.

I am including the following modifications to the FEIS Alternative E as part of the Selected Alternative. The effects of these modifications are minor in the overall context of the project, and are within the range of effects considered in the FEIS.

- No harvest would occur in parts of Units #62 and #135, totaling 2.3 acres, because they were determined to have high hazard landslide prone areas in the FEIS analysis (FEIS, Chapter III, Section 3.4.6.4).This change is consistent with project design measure #6 (Appendix A of the ROD). This change and minor corrections to the treatment descriptions are reflected in Appendix E of the ROD (in **bold text)**.
- There are several modifications to the design and mitigation measures (Table R-10 & R-11, Appendix A of the ROD in **bold text**). Design or mitigation measures were modified for several reasons: responding to public comments, clarification during implementation and contract administration, and grammar. These changes have been reviewed by the Interdisciplinary team and they have determined that effects are similar, or less than those presented in the FEIS.
- Include all applicable Terms and Conditions and Mitigation & Design Criteria (MDC) of the Biological Opinions from NOAA-Fisheries and U.S. Fish and Wildlife Service; in any permit, grant, or contract issued for the implementation of the Red Pines Project. Full text of these documents is located in Appendix B of the ROD.
- In response to comments additional analysis was completed relative to Goshawk to review suggested references received from the FEIS public comments. Design measure #35 and mitigation measure #N were modified in response to the comment (Appendix A & C - ROD).The analysis and references were added to the project file (Appendix C & F-ROD and wildlife project file).
- The FEIS erratum for the wildlife section was accidentally left out when the FEIS was distributed. Minor corrections to references such as page numbers, map numbers and table numbers were made. The FEIS Table III-75 for Fisher and Pine Marten was replaced to correct analysis calculations. The difference in acres is much more available habitat for Fisher and slightly less for Pine Marten in all alternatives. FEIS Map 15 was updated to display old growth and replacement old growth to account for the Meadow Fire 2006 (Appendix F, new Map 15).

  Several other corrections to the FEIS are also displayed. This information and analysis are located in Appendix F of the ROD and the project file.

- The Meadow Wildfire was reported on September 3, 2006 in Meadow Creek, just east of the Red Pines project area (Figure R-1). The wildfire burned approximately 1,544 acres within the Red River watershed. The wildfire burned into four Red River prescription watersheds: Upper Main Red River (88 acres), Baston Creek (535 acres), Soda Creek (153 acres) and Main Red River (77 acres), with the majority of the fire outside the project area in Meadow Creek (total fire perimeter 7,759 acres). Following suppression activities the fire was declared out on October 18, 2006. The fire burned in a mosaic pattern with 45% unburned, 25% low, 10% moderate and 20% high severity in the Red Pines project area. Fire suppression rehabilitation is ongoing at this time and Burned Area Emergency Rehabilitation (BAER) treatments are funded in 2007.Supperession and BAER treatments include: fire line rehabilitation, culvert removal (4), culvert replacement (2), trail drain dips (30), trail water bars (48) and invasive weed treatment (250 acres). Both of these efforts have compatible objectives with the Forest Plan in terms of stabilizing watershed and stream conditions.

  The interdisciplinary team has reviewed and analyzed the potential effects of the Meadow Wildfire relative to the effects of Red Pines Alternative E. Red Pines project proposes activities in the Baston Creek, Soda Creek and Main Red River (Appendix E-ROD) . The fire did not burn any proposed fuel reduction or stream restoration treatment areas. It did burn some of the old growth proposed for allocation and along roads proposed for decommissioning. Below is a brief summary of effects for aquatics and old growth. All other effects analyses have been considered in this decision and are contained in the project file.

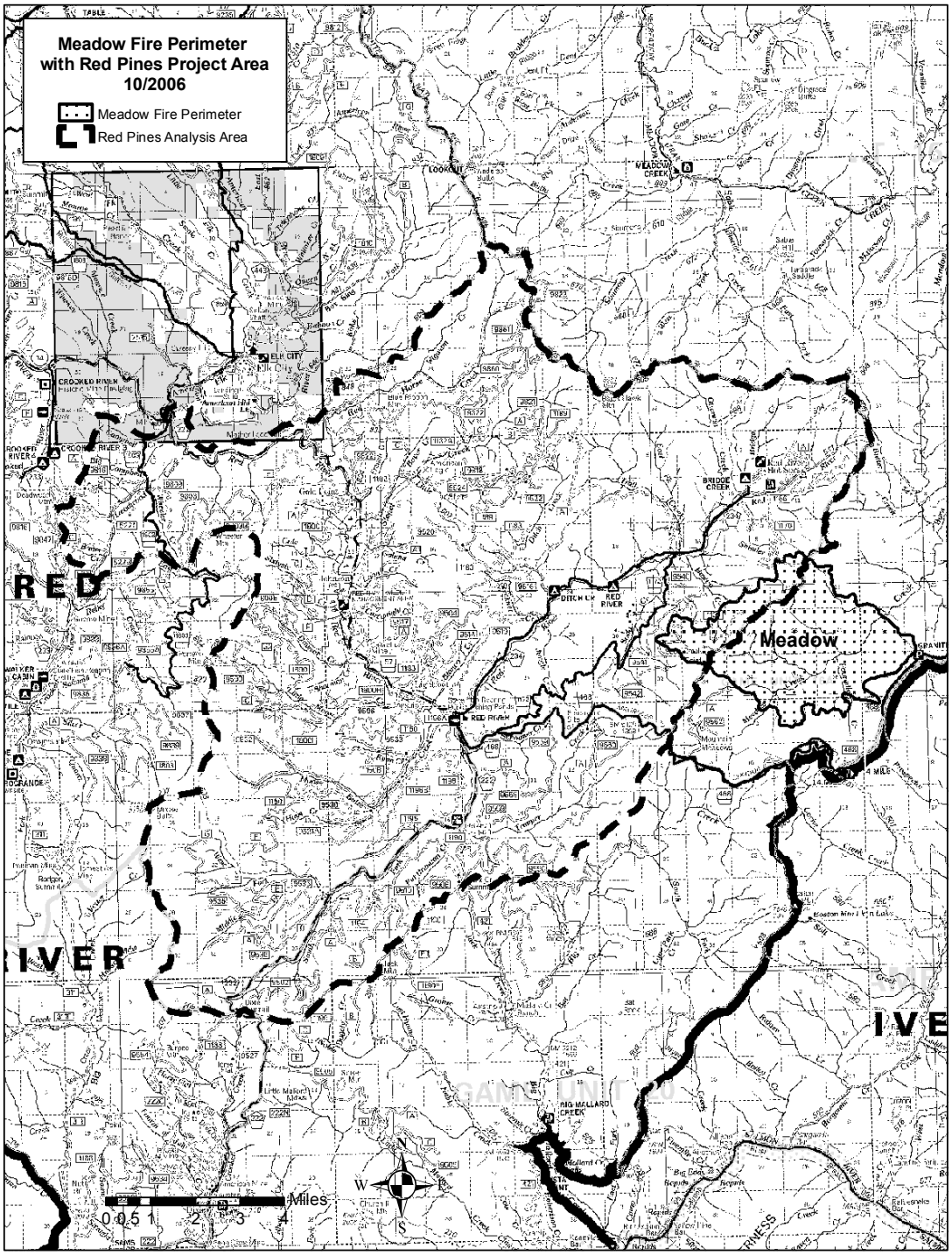
  A sediment yield analysis of fire effects was conducted using NEZSED. These results were then compared to Red Pines Alternative E, including the selected alternative from the Upper Red River Restoration Project. Analysis determined there would be short term increases to several watersheds primarily Soda Creek (+1 % over base) and Baston Creek (+16 % over base). At downstream pour points on the mainstem of Red River, the wildfire adds from 0 to 1 percent to the existing peak year sediment yield. A water yield analysis of fire effects was conducted using the Equivalent Clearcut Area (ECA) method. The primary predicted ECA effect of the Meadow Fire is in Baston Creek, with an estimated peak year increase from existing 5 percent to post-fire 17 percent (+12%). At downstream pour points on the mainstem of Red River, the wildfire adds from 0 to 2 percent to the existing peak year ECA. With the exception of Baston Creek, the Meadow Fire is predicted to have relatively minimal sediment and water yield effects in the Red River watershed. Meadow fire changed the existing baseline condition in Baston, Soda and Main Red River watersheds. The effect of Alternative E activities does not change.

  Short term reduced habitat quality from sediment and temperature increases could result from the Meadow Fire in Baston Creek. Overall, effects to fish and fish habitat would be the same as described in the FEIS and the Biological Assessment for listed and sensitive fish species.

  Portions of two old growth analysis areas were burned by the Meadow Wildfire (FEIS-Map 15; old growth analysis areas; 411 & 408). Within area 411, no old growth or replacement old growth was burned at moderate to high intensity and there is no effect to old growth. Within area 408, approximately 13 acres of old growth and 61 acres of replacement old growth proposed for allocation were burned at moderate to high intensity. This decision would not allocate these acres as old growth or replacement old growth (MA 20) because they no longer meet the minimum Forest Plan or North Idaho definitions. Old growth analysis area 408 combined with old growth analysis area 413 would continue to meet forest plan standards to have at least 10% as old growth or replacement old growth. Appendix F of the ROD (new Map 15) displays the modified old growth and replacement old growth allocation (MA 20), reflecting the effects of the Meadow Fire (project file).

In conclusion, the effects of these modifications to Alternative E and change conditions do not appreciably change the effects analysis presented in the Red Pines FEIS.

Figure R-1 Meadow Fire Perimeter and Red Pine project area.



1.3.2 FUEL REDUCTION ACTIVITIES AND ASSOCIATED FUEL TREATMENTS

Up to 3,452 aces of hazardous fuels reduction activities would occur through timber harvest and associated fuel treatments (Table R-1). Appendix E of the ROD describes all of the treatments types by unit for Alternative E-Modified (Map RP-1).

Of the planned fuel reduction treatments, about 45 percent would be clearcut, and 54 percent would be treated using irregular shelterwood treatments. Approximately 1 percent would be pre-commercially thinned. Harvest methods include ground based systems, tractor (46 percent) and cable (53 percent), and approximately 1 percent by hand.

Table R-1 Fuels Reduction Activities with the Selected Alternative

Proposed Activity and Logging System			Alternative E	Alternative E Modified
Acres of Fuel Reduction by Prescription Type[1]	Irregular Shelterwood / Shelterwood	Cable	1191	1188
		Ground	681	681
	Clearcut	Cable	622	622
		Ground	919	919
	Pre-commercial thin	Hand	42	42
	Total Acres Fuel Reduction		**3455**	**3452**
Acres of activity fuels treatment[1]	Underburn		1686	1684
	Broadcast burn		220	220
	Excavator Pile		1505	1505
	Hand pile		42	42

1 ROD - Appendix E contains unit-by-unit prescriptions and full treatment type descriptions.

1.3.3 TRANSPORTATION

The transportation system proposed in Alternative E-Modified was selected. To facilitate fuels reduction, an estimated 18 miles of temporary roads would be constructed in the Red River watershed (Table R-2; Map RP-1). Each of these roads would exist on the landscape for one to three years and would be decommissioned following fuel reduction activities. Most often these roads would be removed the same season they area constructed when possible.

In addition to temporary roads, Alternative E – Modified requires a combination of annual and deferred maintenance to prepare existing roads for hauling of fuel and timber. Road reconditioning would be required on about 79 miles of road. Of these roads 69.4 would be maintained as part of the long term transportation system in the analysis area. Table R-2 and Map RP-1 display the road reconditioning and temporary road construction needed to facilitate fuels reduction treatments. Map RP-2 displays the roads that would decommissioned.

Changes to public access in the area are minor and summarized in Tables R-2, and R-3 of this document. Although there is a considerable amount of road decommissioning associated with this project (up to 104 miles), most of these roads are currently administratively closed to use, impassible with motorized equipment, or are receiving little if any recreational use at this time (FEIS, Section 3.13). An estimated 7.1 miles of road, currently available to the public, would be decreased for highway vehicle access.

Table R-2 Transportation Activities with the Selected Alternative

Proposed Transportation Activities	Alt. E	Alt. E Modified
Miles temporary road construction[2]	18	18
Miles road reconditioning[3]	79	79
Decrease in Highway Vehicle Access from Existing - Miles ; - Percent change	7.1 ; -3.6%	7.1 ; -3.6%

2 Temporary roads would be decommissioned within one to three years of construction.

3 Road reconditioning covers a range of activities, such as surface blading, drainage repair, roadway brushing with occasional culvert installations, slump repairs and stabilization work.

1.3.4 RESTORATION ACTIVITIES

Restoration activities included in Alternative E – Modified are discussed below, summarized in Table R–3, displayed on Map RP-2 and are specified by subwatershed in Appendix E of the ROD. The items listed under "Planned" must be completed under this action concurrently with fuel reduction activities of this action, as described in the terms and conditions of the Biological Opinions of this project (Appendix B of the ROD). The items shown as "Discretionary", in parenthesis, may be competed as funding allows.

Road Decommissioning of approximately **104 miles** would occur. These roads have been surveyed and represent an interdisciplinary, integrated recommendation for decommissioning. The selection of treatment type is based on the condition of the road, proximity to resource values such as streams, cost, and other factors. The objectives of road decommissioning are to reduce resource impacts (sediment delivery, ground water interception, under-sized culverts) and reduce maintenance costs by removing roads that are not needed for access. Road decommissioning includes a range of treatment from full re-contouring to abandonment (road to be removed from the road system without disturbance of established vegetation and have adequate drainage at stream crossings and are considered stable).

Soil Restoration projects would occur on approximately **577 acres,** including road decommissioning. Objectives of soil restoration include improvement of soil productivity and to reduce adverse effects to aquatic resources, such as decreased infiltration and increased erosion and runoff. Treatments can include road decommissioning, road-recontouring, soil-decompaction, replacing surface soil and organic material, and restoration of erosion features such as rills and gullies. Soil restoration acres are identified by subwatershed and are described in the Appendix E of this ROD.

Road reconditioning of the existing system road would occur on **79 miles** of road. Reconditioning is a combination of road ditch clean-out, blading and shaping the road surface to maintain a proper road template and drainage, or surfacing. This treatment is similar to what the average person considers as road maintenance.

Mine rehabilitation projects would stabilize and revegetate **21 inactive sites (18 hard rock, 3 placer)**. Mining activities have affected large areas throughout the Red River watershed. This includes soil disturbance that has increased sediment delivery to streams, raw and exposed soils that have allowed for noxious weed infestation, mine tailings that have altered the landscape and riparian areas, and mining roads that are rutted and transporting sediment to adjacent streams. Inventories were completed in the spring 2005 to determine the extent of disturbance and the appropriate methods needed for restoration. Inactive mine rehabilitation would focus on weed invasion monitoring and removal, revegetation with native grasses, shrubs, and trees in most locations, and possibly some recontouring of existing skid roads. Detailed information on each site is in the project file.

Stream crossing improvement projects would occur at **43 sites**. Each crossing has various issues identified and these are listed in detail in Appendix E of the ROD. Projects are proposed to improve upstream passage of aquatic organisms, particularly spawning salmonids, and/or reduce the risk of culvert failure during runoff events. In some cases, culverts would be upgraded by retrofitting with baffles or by other means. In other situations, they would be replaced with larger culverts or other stream crossing devices. Log culverts should be removed completely with the crossing returned to an as near natural gradient as possible, or hardening of the crossing for a natural ford where necessary.

Culvert/Log bridge removal projects would occur on **19 sites** with and an additional **2 sites** to be treated as funding becomes available (discretionary). These sites have been identified on roads that would be decommissioned. The purpose of the proposed projects is the same as stream crossing improvements but the structure (culvert or log bridge) would be removed and not replaced. Each crossing would be recontoured and revegetated, as needed.

Riparian restoration would occur along approximately **20 miles of stream**. This restoration is proposed in those areas where past activities including mining, harvest, grazing, and road construction have occurred. Objectives would include re-establishment of the floodplain connectivity and function, and recovery of the vegetation communities to improve streamside shade, and improve aquatic ecological function. This could include projects that would provide stabilization of stream banks by placement of boulders and/or root wads, planting of native tree and shrub species for stabilization of stream banks and shade enhancement, and possibly relocation or decommissioning of roads that are negatively affecting stream channels. **Large woody debris placement** is done to improve aquatic habitat and restore natural function of stream systems and would occur on **28 miles** of stream.

Fencing is proposed **along 1 mile** of the lower main stem of **Moose Butte Creek**, primarily through the meadow reaches **and along 5 miles** of the main stem of **Red River** (discretionary). Fencing would help reduce impacts to the banks and the channels from on-going domestic grazing activities that are occurring from private holdings within the Red River watershed. Proposed fencing on forest service lands that are grazed Is also included. Coordination and concurrence with private landowners must occur to implement fencing on the discretionary portions.

In-stream fish structure maintenance would occur along approximately **8.0 miles of stream**. Maintenance is proposed at several locations on the mainstem of Red River, Little Moose Creek, and Moose Butte Creek. These structures were installed in the 1980's to help promote pool formation. Over the past two decades some of these structures have failed and the pools are now filling with sediment. A review of each structure would be performed and then either completely removed or replaced with materials such as boulders or root wads that would function more naturally for a longer period of time.

In-stream restoration projects would occur on approximately **2.0 miles on stream** on various stream segments. As a result of extensive historic mining activities, selected stream segments have experienced changes in channel morphology and a resultant loss in fish habitat. In-stream restoration may include the placement of boulders and/or root wads within the channel for flow diversion, working to stabilize stream banks and create pools for fish habitat, to actual relocation of altered stream channels to their historic flow location and regime/pattern.

Recreation site improvement projects would occur **on 15 acres** and are associated with the restoration work within the "Narrows area" in Lower Red River, Ditch Creek Campground and Red River Campground.

Rock quarry restoration would occur at **one (1) site** on main Red River (5 acres). The quarry is located approximately ¼ mile upstream of the Red River Ranger station. It is no longer being used for materials, and would be recontoured and stabilized to reduce erosion and sediment delivery to streams.

Sediment trap decommissioning would occur at **two (2) sites,** and at one (1) discretionary site (approximately 6 acres). These traps were installed in approximately 1988 to trap sediment on both Dawson Creek and Moose Butte Creek. Traps are not being maintained or functioning properly and are no longer needed. The sediment traps would be removed and the areas stabilized.

Table RP-3. Restoration activities with Alternative E-Modified.

Planned Associated Restoration Activities See Appendix FEIS H for details Proposed (Discretionary)	Alt. E	Alt. E Modified
Miles existing road decommissioning[4]	104	104
Soil Restoration, including road decommissioing[4] (acres)	577	577
Mine rehabilitation (18 hard rock, 3 placer inactive sites)	21	21
Stream crossing improvement (sites) – Fish passage barriers, upgrade or replacement	43 (13)	43 (13)
Culvert/log bridge - removal (sites)	19 (2)	19 (2)
Riparian restoration (miles of stream)	20	20
Fencing (miles adjacent to streams)	1 (5)	1 (5)
In-stream fish structure maintenance (miles of stream)	8	8
Large Woody Material placement – instream (miles)	28	28
In-stream restoration (miles of stream) – “Narrows”	2	2
Recreation site improvement (acres)	15	15
Rock quarry restoration (site)	1	1
Sediment trap decommissioning (site)	2 (1)	2 (1)

4 Project road decommissioning covers a range of activities, from recontouring to abandonment. Soil restoration includes roads and adjacent impacted areas (acres).

1.3.5 FOREST PLAN AMENDMENTS

Alternative E-Modified would approve four Forest Plan amendments. The current conditions of soil resources in several units that would be treated exceed the standard. Several streams in the Red River watershed are below forest plan standards. Site-specific amendments related to the Alternative E-Modified for the soil standard and fishery/water quality objectives are approved as listed in Table R-4 and amendment text is displayed in Appendix D of the ROD.

Alternative E was developed by modifying Alternative D, in response to this issue. Alternative E was presented in the FEIS and is the same as Alternative E - Modified. Full analysis all proposed amendments is located in Appendix D of the FEIS and the project file. A site-specific amendment to the soil standard is approved for 8 units. A site-specific amendment to the fishery/water quality objectives is approved in three areas.

Table R-4 – Forest Plan Amendments.

SOIL - Forest Plan Amendment	Alt. E	Alt. E-Modified
Site specific - soil quality standard number 2. Units that have activity areas that exceed the 15% disturbance standard, but would show a net improvement following treatment.	Units: 16, 17, 32, 44, 45, 46 (tractor), 46 (skyline), 134	Units: 16, 17, 32, 44, 45, 46 (tractor), 46 (skyline), 134
FISHERIES/WATER QUALITY - Forest Plan Amendment	**Alt. E**	**Alt. E-Modified**
1. Site specific – Forest Plan Appendix A. Allow concurrent fuels reduction activities with aquatic improvement activities, with an upward trend.	Baston Creek Bridge Creek Dawson Creek Deadwood Creek Ditch Creek Lower and Upper South Fork Red River Lower Red River, Main Red River, Middle Fork Red River Moose Butte Creek Otterson Creek Red Horse Creek Schooner Creek Siegel Creek Soda Creek Trail Creek Trapper Creek Upper Main, West Fork Red River	Baston Creek Bridge Creek Dawson Creek Deadwood Creek Ditch Creek Lower and Upper South Fork Red River Lower Red River, Main Red River, Middle Fork Red River Moose Butte Creek Otterson Creek Red Horse Creek Schooner Creek Siegel Creek Soda Creek Trail Creek Trapper Creek Upper Main, West Fork Red River
2. Site specific – Forest Plan -Appendix A, Table A-1. Updates existing and adds previously omitted stream information	Blanco Creek Campbell Creek Little Moose Creek Deadwood Creek Lowest Main Red	Blanco Creek Campbell Creek Little Moose Creek Deadwood Creek Lowest Main Red
3. Site specific – Forest Plan -Appendix A. To allow one-time exceedance sediment yield guidelines.	Lower Main Red River	Lower Main Red River

The site-specific soils amendment (# 33) is limited in timing and scale, does not change goals and objectives, would achieve a net improvement to soil productivity in the 8 units treated and does not change outputs. This amendment would be effective until the Forest plan is revised. It applies to only 8 units (311 acres) in the Red Pines project area (0.01 percent of the Forest).

The first site-specific fishery/water quality amendment (#34) is limited in timing and scale, does not change goals, updates objectives, and allows more vegetation and restoration activities to occur in the short term. This amendment would be effective through project implementation and would apply to other projects until the Forest Plan is revised. It applies to 20 subwatersheds (90,627 acres) in the Red Pines project area (3.88 percent of the Forest). Because these subwatersheds are below Forest Plan objective this amendment would allow restoration and fuel reduction activities to occur earlier than planned.

The second site-specific fishery/water quality amendment (#35) is limited in timing and scale, applies more restrictive Desired Future Condition objectives in four streams and establishes Desired Future Condition guidelines for one stream. This amendment updates stream and fishery information that was not available in the past. It applies to 5 subwatersheds (14,329 acres) in the Red Pines project area (0.64 percent of the Forest). This amendment would be effective through project implementation and would apply to other future projects until the Forest Plan is revised. This amendment adds new information to the Forest Plan.

The third site-specific fishery/water quality amendment (#36) is limited in timing and scale, does not change goals and objectives, and allows more vegetation and restoration activities to occur in the short term. This amendment allows a one-time excedance in sediment yield guidelines. It applies to 1 subwatershed (8,951 acres) in the Red Pines project area (0.39 percent of the Forest). This amendment would be effective through project implementation. Lowest Main Red currently does not meet the Forest Plan standard and the change for the exceedance is predicted to be relatively small (< 2 percent over 5 years) and would result in a long term decrease in sediment yield.

Based on the analysis of these four site-specific Forest Plan amendments, I have determined they are not significant amendments with this decision (Appendix D of the ROD, Appendix D of the FEIS, Project File).

1.3.6 Design and Mitigation Measures and Monitoring

The design and mitigation measures in the FEIS were developed to reduce potential adverse effect from the various activities with respect to the resources in the area of the project. Design and mitigation measures would also assist in accomplishing the over all goals of the project including achieving consistency with the Forest Plan standards. These measures are the site-specific best management practices to be incorporated into design and layout of on-the-ground activities, contract provision and project administration. Design and mitigation measures are displayed in Appendix A of this ROD, with several modifications highlighted in **bold text**.

The measures are augmented by the terms and conditions specified in the Incidental Take Statements of the Biological Opinions and concurrence received from the NOAA-Fisheries and U. S. Fish and Wildlife Service (USFWS) for this project (Appendix B of the ROD). These agencies reviewed the project and its effects on threatened and endangered species, in accordance with Section 7 of the Endangered Species Act (ESA). The agencies determined that the project would not jeopardize the continued existence of listed species, and they issued an Incidental Take Statement to address the possibility of accidental take on ESA-listed species which might occur as a result of project activities. NOAA-Fisheries also evaluated the effects of the project on Essential Fish Habitat (EFH), in accordance with the Magnuson-Stevens Fishery Conservation and Management Act.

The Biological Opinions from NOAA Fisheries and the USFWS (Appendix B of the ROD) describe additional levels of monitoring and reporting that are required to assess compliance with terms and conditions; these include any incidental take of steelhead or bull trout and measures to ensure habitat objectives are being met. This project would implement this additional monitoring along with the monitoring specified in Appendix A of this Record of Decision.

The Forest is currently engaged with the Idaho Department of Environmental Quality (IDEQ), U.S. Environmental Protection Agency (EPA), Nez Perce Tribe and the South Fork Clearwater Watershed Advisory Group and the Technical Advisory Committee in the development of the South Fork Clearwater TMDL Implementation Plan (April 2006). The provisions developed that pertain to this project would be implemented as appropriate. The Forest has worked in coordination with the North Central Idaho Resource Advisory Committee (RAC) for funding monitoring activities downstream of the project area.

I would implement design and mitigation measures and monitoring, including those in the Biological Opinions as specified in this ROD (Appendix A & B of the ROD). A detailed monitoring plan would be developed prior to implementation of activities. This monitoring plan would specify the monitoring items, objectives, location, protocols, and reporting for each item.

To track implementation, monitoring accomplishments, and findings, I would require the preparation of an annual project monitoring report for this project. This report would summarize activities and monitoring implemented in the previous year. This report would also detail the plan of operations for the current year and would be completed by June 1, each year of implementation and summarized in the Annual Forest Monitoring Report.

Also, restoration activities would be tracked, including both those completed and those not completed, and reported annually to the U.S. Fish and Wildlife Service and NOAA-Fisheries. If reports indicate that implementation and/or completion of restoration activities lags behind implementation and/or completion of fuel reduction and timber harvest activities, a remedial plan would be developed in coordination with the USFWS and NOAA-Fisheries.

1.3.7 SUMMARY OF TREATMENTS

Table R- 5 Activities with the Selected Alternative.

Planned Fuel Reduction Activity and Logging System			Alternative E	Alternative E Modified
Acres of Fuel Reduction by Prescription Type	Irregular Shelterwood / Shelterwood	Cable	1191	1188
		Ground	681	681
	Clearcut	Cable	622	622
		Ground	919	919
	Pre-commercial thin	Hand	42	42
	Total Acres Fuel Reduction		**3455**	**3452**
Acres of activity fuels treatment	Underburn		1686	1684
	Broadcast burn		220	220
	Excavator Pile		1505	1505
	Hand pile		42	42
Miles road reconditioning			79	79
Miles temporary road construction			18	18
Associated Restoration See Appendix H for details Proposed (Discretionary)			**Alt. E**	**Alternative E Modified**
Miles existing road decommissioning			104	104
Soil Restoration, including road decommissioning (acres)			577	577
Mine rehabilitation (18 hard rock, 3 placer inactive sites)			21	21
Stream crossing improvement (sites) – Fish passage barriers, upgrade or replacement			43 (13)	43 (13)
Culvert/log bridge - removal (sites)			19 (2)	19 (2)
Riparian restoration (miles of stream)			20	20
Fencing (miles adjacent to streams)			1 (5)	1 (5)
In-stream fish structure maintenance (miles of stream)			8	8
Large Woody Material placement – instream (miles)			28	28
In-stream restoration (miles of stream) – "Narrows"			2	2
Recreation site improvement (acres)			15	15
Rock quarry restoration (site)			1	1
Sediment trap decommissioning (site)			2 (1)	2 (1)
SOIL - Forest Plan Amendment[5]			**Alt. E**	**Alternative E Modified**
Site specific amendment – Number of amendments			1	1
FISHERIES/WATER QUALITY - Forest Plan Amendment[5]			**Alt. E**	**Alternative E Modified**
Site specific amendment – Number of amendments			3	3

5 FEIS - Appendix D contains full description of proposed amendments and a complete list of streams.

ROD - Appendix D displays the final text and numbers of the Forest Plan amendments.

6 Exceeds Forest Plan, sediment yield guidelines under existing conditions (Alternative A).

1.4 RATIONALE FOR THE DECISION

The Red Pines project was initially developed to reduce fuel loads and harvest merchantable timber that was threatened or dead as a result of mountain pin beetle activity in the Red River watershed. At the same time, the importance and sensitivity of the Red River watersheds and the South Fork Clearwater River with respect to wildlife and fish habitat was recognized. After completing and considering the initial field assessment phase of the project and prior to proposing the project to the public, it was determined that hazardous fuel and vegetation conditions could be addressed in a manner that would limit risks to other resources. The following architecture was developed for the proposed action and carried through to the development of alternatives in order to minimize risks to the important resources of the area and to focus the analysis:

- The project area would exclude treatment in Inventoried Roadless Areas.
- The project would not treat fuels or harvest timber in areas allocated as meeting old growth definition.
- There would be no new permanent roads constructed.
- Management activities (vegetation treatment and road construction) in riparian areas (PACFISH RHCA's) would be minimized.
- Activities (vegetation treatment and road construction) in high hazard landslide prone areas would either be avoided or treatment modified to protect slope stability.
- The project would address State of Idaho TMDL limiting factors.
- The project would implement watershed restoration activities designed to meet the Forest Plan requirements to establish an upward trend in water quality and fish habitat conditions in watersheds that are below current objectives.
- The project would implement activities consistent with existing Forest Plan standards, as amended.

This framework, as well as the design and mitigation measures found in Appendix A of this Record of Decision, was common to all action alternatives. As a result of these factors, none of the action alternatives would pose resource risks not anticipated or allowed in the Forest Plan as amended.

Only Alternative E and Alternative E-Modified, provide for an upward trend in aquatic habitat conditions. Differences among alternatives relate to the amount and rate of improvement over the long-term. All alternatives have short-term negative effects, none of which are expected to measurably impair existing water quality or fish habitat conditions over the long term.

Alternative E-Modified would result in negligibly adverse to slightly positive effects in big game habitat (elk and moose). Minor short term disruptions to recreational users would occur due to operations over the life of the project. However, this alternative maintains recreational uses at or near current levels over the long term.

Alternative E-Modified would not enter any Inventoried Roadless Areas (IRA), as identified in the 2001 Roadless Rule, and does not require additional analysis. On September 20, 2006, in the United States District Court Decision in California v. USDA (C05-03508) and Wilderness Society v. USFS (C05-04038) set aside the 2005 Rule, and reinstated the 2001 Roadless Area Conservation Rule (2001 Roadless Rule).

Considering the framework within which this project was developed, there are five key factors that best represent the purpose and need of this project and reflect the main issues identified through public comments. My decision is based on a comparison of these factors:

- Total Acres of Vegetation Treatment to Reduce Hazardous Fuels – The purpose and need, project objectives, and issues related to wildfire severity and resource protection would be best served by the alternative that would treat the most acres feasible within all other project constraints. The sooner the trees are harvested, the higher the value and the more funding that would potentially be available for the discretionary restoration work. I recognize time has passed and the value continues to decrease.

  Alternative E-Modified treats a high number of acres while maintaining an upward trend.

  Specifically this project would:

  - Reduce densities of lodgepole pine or other small diameter trees that provide fuel ladders for development of crown fires.
  - Increase relative proportions of long-lived, fire-resistant tree species by restoring or regenerating western larch, ponderosa pine, and protecting large diameter ponderosa pine, Douglas-fir, and western larch.
  - Reduce likelihood of severe local fire effects by removing dead, dying, and downed trees that would otherwise result in high fuel loading. Greater chance to suppress future wildfires.

  I have identified old growth and replacement old growth (MA 20) as displayed on Map 15 (Appendix F of the ROD). Red Pines old growth analysis areas combined with adjacent old growth analysis areas would contain at least 10% MA 20, which meets the old growth standard outlined in Appendix N of the Nez Perce Forest Plan. Old growth stand data collected during the course of this project (2002, 2003, 2004) was used to verify old growth conditions in these stands. The project file contains a list of old growth and replacement stands along with their size and characteristics. The stands identified as replacement old growth are mature habitats and meet the age definition of replacement old growth (Appendix N of the Forest Plan). The Red Pines project was designed to avoid all direct harvest to this old growth and replacement old growth. No fuels treatments would occur in these areas. Old growth discussion is in the FEIS, Chapter III, Section 3.12-Wildlife and Appendix F of the ROD.

  Alternative E-Modified would treat 790 acres of lodgepole pine that met the North Idaho lodgepole pine old growth definition prior to the mountain pine beetle infestation (pre-2000). Because of the beetle epidemic in Red River, most of the lodgepole pine trees have died and the stands no longer meet the North Idaho lodgepole pine old growth definition.

  Alternative E-Modified would not treat areas identified in the FEIS having high landslide risk (2.3 acres; Units # 62 & 135), or any area identified during final layout as having high landslide risk (Design measure #6 – Appendix A of the ROD),

- Restoration Activities – Issues related to maintaining beneficial uses and improving water quality and fish habitat would be best addressed by the alternative that would provide the most watershed restoration. Alternative E-Modified provides the highest level of required road decommissioning and soil restoration. Issues were raised to have more restoration and road decommissioning. I recognize the current condition of streams and soils, and the need to improve conditions while reducing hazardous fuel levels.

- Road Treatments – Treatment of conditions on existing roads would be best addressed by an alternative that would provide the most treatment. Access to fuel treatments would be best accomplished with new temporary roads. Alternative E-Modified provides a reasonable opportunity to treat existing roads, access areas in need of fuel treatment and not add to the permanent transportation system.

  The use of temporary roads would best meet the need for access to reduce hazardous fuels. Issues were raised related to road construction. New road construction is needed because a large portion of the units are located on ridge tops and areas with moderate or low slope gradient. Temporary roads can be easily and economically built to allow access but would not become part of the permanent transportation system. These roads would be on the landscape for three years or less and then decommissioned, and thus do not require long term maintenance. Alternative E-Modified has the least amount of new temporary road construction.

  Road reconditioning would be accomplished when fuels reduction treatments are planned. Maintenance of existing forest roads has been difficult in the past given the amount of roads in the Red River watershed and the limited Forest Service budget to complete road maintenance. Alternative E- Modified treats a good amount of existing roads in Red River when fuel reduction treatments would occur.

- Water Quality - Water quality was a key issue raised by my staff, and was the subject of public, state and federal agencies, and tribal comments.

  Sediment Yield – Water quality would best be addressed by an alternative that provides the least short term increase and the greatest net decrease in sediment delivery from management activities. Red River and several of it's tributaries currently do not meet Forest Plan standards. Alternative E-modified shows a net reduction in sediment yield. The change in vegetation conditions in Red River as a result of the mountain pine beetle epidemic caused the forest to re-examine and evaluate the application of our standards to these watersheds. This resulted in the need and the decision for site-specific forest plan amendments, (Appendix D of the ROD) to allow activities sooner than planned.

  South Fork Clearwater River Total Maximum Daily Load (TMDL) – An alternative that provides the smallest short term increases and largest long term decrease in sediment yield and provides the least risk and most improvement to streamside shade would best address the intent of the South Fork Clearwater River TMDLs and Implementation Plan. Although fuel reduction treatments and associated activities are a source of non-point pollution, design and mitigation measures have been developed specifically to limit pollutants from reaching water (Appendix A & B of the ROD). The type of restoration activities that would be implemented with Alternative E-Modified are identified as actions needed to reduce downstream sediment effects in the South Fork Clearwater River and meet the intent of the TMDL. Existing shade would be protected using riparian buffers and future shade would be improved by riparian planting.

- Aquatic Habitat – Red River and its tributaries provide important fish habitat within tribal lands.

  Aquatic Habitat Trend - Aquatic habitat would best be addressed by an alternative that improves instream conditions for anadromous and resident fish species. The Nez Perce Tribe was integral in the development of Alternative E and commented on both the Draft and Final EIS. Alternative E-Modified would provide for an upward trend in the greatest number of aquatic conditions.

  Alternative E-Modified has the least amount of temporary road construction (as Alt D) and the most miles of road decommissioning. The magnitude of short term sediment effects is the least, compared between the alternatives. The location and timing of activities also provides for reduced short term effects in Soda, Ditch, Siegel, and Upper Red River watersheds from fuel reduction and associated activities.

  Alternative E-Modified includes restoration activities that would directly improve habitat availability, habitat quality, and hydrologic processes (Appendix H of the FEIS). Restoration activities improve watershed conditions that would lead to an improvement in downstream habitat conditions. Stream crossings are of particular concern. As time passes many of the current conditions of stream crossings are at risk of failure. Both management and natural activities can influence the effect of aquatic habitat from these sites. No action means these areas would continue to be a high risk of effects to aquatic habitat. Implementation of restoration activities now means these degraded conditions can be treated and the risk of effects to aquatic habitat reduced substantially.

Table R-6 compares Alternative E-Modified to the other action alternatives analyzed with respect to the five key decision factors. Alternative E-Modified is the strongest alternative in four of the five key decision factors. The first factor, ranks Alternative E as treating the smallest amount of vegetation, however the need to have decrease in the long term sediment yield and an aquatic upward trend is extremely important in the Red River watersheds. The net revenues generated from Alternative E are insufficient to cover the costs of the specified restoration. This makes the funding of the specified restoration in Alternative E more uncertain than that shown for the other alternatives, including Alternative E-Modified.

Table R-6. Key Decision Factors, by Alternative (Alt.)

Factor	Alt. A	Alt. B	Alt. C	Alt. D	Alt. E	Selected Alternative Alt. E Modified
Vegetation Treatments, Acres						
Remove dead and dying trees	0	6,467	5,129	3,985	3,454	3,452
Reduce Ladder Fuels	0	3,903	2,989	2,345	1,872	1,870
Road Treatments, Miles						
Temporary Road Construction	0	36	36	25	18	18
Road Reconditioning	0	92	92	79	79	79
Restoration Activities – Required (Discretionary)						
Road Decommissioning, Miles	0	99 (5)	93 (12)	86 (19)	104	104
Soil Restoration, acres	0	555 (26)	521 (63)	476 (108)	577	577
Water Quality						
Red River Sediment Yield Percent over base -Year 2012	23%	20%	20%	20%	19%	19%
Meet intent of South Fork Clearwater River TMDL	No	Least	Medial	Better	Best	Best
Aquatic Habitat						
Aquatic Habitat Trend - Upward	No	No	No	No	Yes	Yes

I have thoroughly reviewed the existing conditions as described in the FEIS (Chapter III), I have reviewed the purpose and need for action as described in the FEIS (Chapter I), and I have considered the significant issues associated with the action (FEIS Chapter II) of this decision document). I have considered recent wildlife activities in the watershed. I have also reviewed the consistency of this action with Nez Perce Forest Plan goals (discussed in this decision document in the section Consistency with Forest Plan Goals, Objectives, and Standards, below) and management direction from Chapter II of the Forest Plan.

Alternative E-Modified best meets the purpose and need and responds to the significant issues identified during scoping, while conforming to applicable laws and regulations, complying with the Forest Plan Standards (discussed at the end of each resource section in Chapter III, under adherence to Forest Plan Standards), and complimenting the goals and objectives of the Forest Plan.

The analyses conducted as part of the FEIS are based on the thorough application of the best scientific information currently available to the project Interdisciplinary Team. The information considered consists of scientific literature, agency and research findings, models and other information that apply to local conditions within the project area or similar conditions in other nearby areas that are relevant and can be extrapolated to the area affected by the project. Use of the best science in the evaluation of this project includes consideration of opposing viewpoints and disclosure of model and data limitations. Further, the Forest's consideration and use of science has been coordinated with and reviewed by other technical experts. Comments received by reviewers have been considered in the FEIS.

In conclusion, my decision to select Alternative E-modified, is based on the above considerations as well as comments received from public, other governmental agencies, and consultation with the Nez Perce Tribe. These comments, and the Forest's responses, are included in Appendix C of this Record of Decision and Chapter IV of the FEIS.

1.4.1 Consequences of Taking No Action

The South Fork Clearwater Landscape Assessment and the Red River Ecosystem Analysis at the Watershed Scale (EAWS) provided the context for needed action in the Red Pines project area. Field reviews, surveys, and inventories, including current insect activity surveys, focused this context on current, site-specific conditions. Choosing no action would exacerbate the hazardous fuels buildup and risk of more severe impacts associated with a future fire event that could occur in the project area.

Not completing fuels reduction at this time would result in:

- Continued build-up of heavy continuous fuels (dead, dying, and downed trees) in much of the area.
- Continued development of fuels ladders, dense multi-stored stands, which increase the potential for large stand replacing wildfire.
- Lost opportunity to capture the remaining commercial value of the trees that would be removed.
- Continued conversion of the species composition to grand fir and Douglas fir and reducing the proportion of long-lived, fire-resistant tree species.
- Increased probability of severe wildfire effects on the acres proposed for treatment.
- Less effective fire suppression efforts.

Not implementing the proposed restoration activities would result in:

- Slower improvement in water quality and fish habitat.
- Continued maintenance of a high number of roads that are in excess to forest management needs, and that the forest currently cannot afford to maintain.
- Continued impacts to water quality and fish habitat from the backlog of road maintenance needs that present a risk to aquatic habitats.
- Lost opportunity to reduce sediment delivery from activities or enhance stream/aquatic conditions.
- Continued existence of known fish barriers, resulting in continued loss of fish habitat connectivity.
- Lost opportunity to improve soil productivity on selected sites.

1.4.2 ENVIRONMENTALLY PREFERRED ALTERNATIVE

40 CFR Section 1505.2(b) states that in preparing an EIS an agency shall: "*Identify all alternatives considered by the agency in reaching its decision, specifying the alternative or alternatives which were considered to be environmentally preferable."* The environmentally preferable alternative(s) promotes the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative(s) that causes the least damage to the biological and physical environment. It also means the alternative(s) which best protects, preserves, and enhances historic, cultural, and natural resources.

The identification of the environmentally preferable alternative involves difficult judgments involving the balance of environmental values as expressed by numerous comments on the DEIS and FEIS from the public, governmental agencies, groups, individuals, and the Nez Perce Tribe.

Some comments would suggest that Alternative A, the No Action Alternative, should be the environmentally preferable alternative because Alternative A would create no new disturbances. Alternative A would be the environmentally preferable alternative under a set of values that does not look at the long term opportunities to improve conditions overtime and reduce the potential impacts from future fire events. Alternative A would not need any Forest Plan Amendments for activities in watersheds that are currently in degraded conditions because no activities would occur, however several streams do not currently meet the standards without any activities and restoration of these conditions would also not occur.

Some comments would suggest that Alternative E should be the environmentally preferable alternative because Alternative E combines the least amount of fuels reduction treatments with the maximum level of watershed restoration of any of the action alternatives. Alternative E also would be environmentally preferable under a set of values that views a balance of fuels reduction treatments and restoration activities as being positive, if the balance would achieve a reduction in hazardous fuels and improve long-term trends in water quality and fish habitat.

In this case, I have identified Alternative E-Modified as the environmentally preferable alternative because it best protects, preserves, and enhances the historic, cultural, and natural resources within the project area. Alternative E-Modified best meets the law, responds to many public comments, treaty responsibilities and amended Forest Plan standards. Alternative E-Modified also best meets the intent of the National Environmental Policy Act, as stated in Section 101 of the Act. It does this by reducing risks of resource damage from wildfire by treating 3,452 acres of hazardous fuels across the project area. Alternative E-Modified reduces the amount of fuel reduction treatments or temporary road construction in Soda, Ditch, and Siegel subwatersheds. Fuel reduction treatments and temporary road construction are also reduced in the Upper Red River subwatershed in Alternative E-Modified. Alternative E-Modified provides the maximum level of restoration activities in tributaries to and including Red River considered in the development of alternatives in the FEIS and maintains on upward trend in long term fish habitat.

Alternative E-Modified preserves Inventoried Roadless Areas, old growth areas, riparian habitat conservation areas; and avoids high hazard landslide prone areas or treats them in a manner to reduce risk. It provides an opportunity to implement some restoration activities that may result in faster long term sediment reduction in these watersheds. Although there are some adverse effects associated with the all action alternatives that accrue proportionally with the level of activity, such as soil disturbance, sediment, and loss of snags, these effects are all within ranges and thresholds allowed by the amended Forest Plan. The short term impacts from soil disturbance and sedimentation allow for a long term positive effect to soil and water resources in Red River streams.

A system of measures to avoid or minimize environmental harm from Alternative E-Modified has been adopted, including the location and distribution of activities across the landscape and application of appropriate design and mitigation measures, and monitoring; including the timing of implemented activities. As a result, the potential for measurable harm or damage to watershed, wildlife, and fisheries resources has been minimized or avoided while addressing important vegetation and hazardous fuel conditions to the extent practicable.

1.5 PUBLIC INVOLVEMENT

The Forest Service worked closely with the public to identify issues and concerns. This section summarizes the public scoping process that led to the identification of significant issues and development of alternatives to the proposed action. The significant issues are described in the FEIS, Chapter II, while information on other concerns raised during scoping can be found in the project file, located at the Nez Perce National Forest Supervisor's Office, Grangeville, Idaho.

The intent of the scoping process is to notify the public and other land management agencies of the proposed action, solicit input regarding the proposed action, identify the scope of the issues to be addressed, and determine the relevant and/or significant issues related to the proposed action (CFR/CEQ 1501.7). Public participation was solicited through direct mailings to stakeholders, a *Federal Register* notice, and legal notices in the paper of record and local newspaper, Monthly Update newsletters to key contacts, listings in the Nez Perce National Forest's NEPA Quarterly Schedule of Proposed Actions (SOPA), public meetings and field trips.

Since Red Pines and Red River Salvage were combined for the FEIS, the scoping for both projects is provided here. Scoping for the Red River Salvage project was initiated November 30, 2001, with a letter, news release, and legal notice. In May 2003, an open house and field trip for Red Pines was organized for interested parties. In August 2003, the pre-decisional EA for Red River Salvage was released. Since both projects are in the Red River watershed and both projects (as well as the significant issues being examined) would be taking place along the same timeline, a management decision was made to combine the analyses into the Red Pines DEIS. When the Forest Supervisor decided to combine the projects and the results of the analyses into one EIS, the Nez Perce National Forest again notified the public by means of letters, legal ads, and a revised *Federal Register* notice. Table 4-2 of the FEIS provides a full summary of the scoping activities related to the project.

In June 2003, scoping for the proposed action for the Red Pines project was initiated. The resulting public comments and further field review prompted a refinement of the proposed activities for this project. The proposed action for the Red Pines DEIS identified fuel reduction activities that total 6,465 acres and decommissioning of 96 miles of roads. Many of these roads were identified during scoping field review of the area. Roads were selected for decommissioning if they contribute sediment to streams, were not needed for forest management with modern harvest systems, and were not needed for fire suppression.

Between June 2003 and July 2004, the forest interdisciplinary team members analyzed and prepared the Red Pines DEIS. In September 2004, the Red Pines - Draft Environmental Impact Statement (DEIS) was released for public review. The forest received fourteen comment letters during the 45-day comment period. Comments were related to water quality, forest plan amendments, old growth, and unroaded areas. In response to these comments a new alternative (Alternative E) was developed, and additional analysis was completed and included in the FEIS. FEIS Section 4.5 contains copies of the original letters and the Forest Service response to those comments.

In July 2005, the Red Pines – Final Environmental Impact Statement (FEIS) was released for public review. A notice of availability was published in the Federal Register (July 29, 2005) and in the Lewiston Tribune (July 19, 2005). The FEIS was distributed to those who commented on the DEIS including: the Nez Perce Tribe, federal agencies and officials; state, county, and local agencies and officials; businesses and organizations; and individuals (FEIS, Chapter IV, Section 4.4). The FEIS was released without the Record of Decision to allow for pubic review of the newly developed Alternative E and additional detailed analysis related to the proposed Forest plan amendments. This time was also needed to complete the required consultation. The forest received six comment letters on the FEIS during the 45-day comment period. Appendix C of this Record of Decision contains copies of the original letters and the Forest Service response to those comments.

In July 2006, Idaho Conservation League requested a field trip to the project area with the Forest Service. Representatives from the Nez Perce Tribe and NOAA-Fisheries also participated in the field trip.

Consultation with the Nez Perce Tribe occurred over the duration of the project. See Section 1.12.9 of this document for more details.

A notice of this Record of Decision (ROD) will be published in the Lewiston Tribune. The ROD will be distributed to those who commented on the DEIS or FEIS including: the Nez Perce Tribe, federal agencies and officials; state, county, and local agencies and officials; businesses and organizations; and individuals (FEIS, Chapter IV, Section 4.4 and Appendix C of the ROD). It will also be distributed to required federal entities

1.6 ALTERNATIVES CONSIDERED IN DETAIL IN THE FEIS

Federal regulations require federal agencies to focus on the significant environmental issues related to the proposed action. The regulations require identification of significant environmental issues deserving detailed study. Three significant issues drove alternative development in the DEIS and FEIS: (1) sediment transported into area streams; (2) amount of fuels reduction, and; (3) proposed forest plan amendments (fisheries/water quality). All other issues were addressed through project design and/or mitigation.

The following is a summary of alternatives considered for detailed analysis and displayed in the FEIS document for the Red Pines project. Alternative A is the no action alternative. Alternative B is the proposed action. Alternative C and D respond to the issues of riparian area management. Alternative C, D and E address sediment delivery and fuel reduction effectiveness by providing a range of acres treated. Alternatives A and E respond the issue of Forest Plan Amendments.

1.6.1 ALTERNATIVE A – NO ACTION

Forest Service and federal regulations require development of the No Action alternative. This alternative serves as the baseline for comparing effects between alternatives.

Under this alternative, there would be no change in current management direction or in the level of ongoing management activities in the project area. No fuel reduction or watershed improvement activities would be implemented and no Forest Plan amendments would be necessary. Work previously planned within the project area would still occur under this alternative.

1.6.2 ALTERNATIVE B – PROPOSED ACTION

This is the original project proposal and responds to the purpose and need. This alternative was presented to the public in June 2003.

This alternative proposes to treat 6,466 acres to reduce forest fuels by removing dead and dying lodgepole pine and live ladder fuels. Both temporary road construction (36 miles) and road reconditioning (92 miles) are planned. Fuel hazard reduction activities would also occur within riparian habitat conservation areas (RHCAs) to within 150 feet of either side of the stream. Road decommissioning is proposed on 99 miles of existing road to resource impacts, and reduces future maintenance costs. Soil restoration is planned on 555 acres to improve soil productivity and reduce adverse effects to aquatic resources. A variety of restoration treatments are planned to reduce erosion and sediment delivery, improve riparian and aquatic habitat conditions, stabilize and treat inactive mine sites. Restoration activities would occur in 21 subwatersheds, but does not provide an upward trend in aquatic habitat carrying capacity in all subwatersheds.

A site-specific Forest plan amendment would be made for soils to exceed the 20 percent detrimental soil disturbance from past activities, but to show a net improvement in soil conditions following implementation. Site-specific Forest Plan amendments would be made for fisheries/water quality including four provisions: (1) on 20 streams, allow concurrent fuels reduction activities with aquatic improvement activities with an upward trend; (2) update existing stream information on 5 streams; (3) on 5 streams, exceed sediment yield guidelines for the proposed fuel reduction and restoration activities, and; (4) suspend upward trend requirements on 7 streams.

1.6.3 ALTERNATIVE C – NO MANAGEMENT IN RHCAS

This alternative was developed to respond to public comments related to implementing activities in riparian habitat conservation areas (RHCAs). Under this alternative, no fuel reduction activities would occur within RHCAs.

This alternative proposes to treat 5,129 acres to reduce forest fuels by removing dead and dying lodgepole pine and live ladder fuels. Both temporary road construction (36 miles) and road reconditioning (92 miles) are planned. Road decommissioning is proposed on 93 miles of existing road to resource impacts, and reduces future maintenance costs. Soil restoration is planned on 521 acres to improve soil productivity and reduce adverse effects to aquatic resources. The amount and type of restoration treatments are the same as Alternative B. Restoration activities would occur in 21 subwatersheds, but does not provide an upward trend in aquatic habitat carrying capacity in all subwatersheds.

A site-specific Forest plan amendment would be made for soils to exceed the 20 percent detrimental soil disturbance from past activities, but to show a net improvement in soil conditions following implementation. Site-specific Forest Plan amendments would be made for fisheries/water quality with the following four provisions: (1) on 20 streams, allow concurrent fuels reduction activities with aquatic improvement activities with an upward trend; (2) update existing stream information on 5 streams; (3) on 5 streams, exceed sediment yield guidelines for the proposed fuel reduction and restoration activities, and; (4) suspend upward trend requirements on 7 streams.

1.6.4 ALTERNATIVE D – REDUCE GROUND DISTURBING ACTIVITIES

This alternative was developed to respond to public comments relating to soil, water quality and fisheries issues by reducing the amount of ground-disturbing activities. Fuel reduction treatments and temporary road construction were reduced in Soda, Ditch and Segal Creek.

This alternative proposes to treat 3,985 acres to reduce forest fuels by removing dead and dying lodgepole pine and live ladder fuels. Both temporary road construction (25 miles) and road reconditioning (79 miles) are planned. Road decommissioning is proposed on 86 miles of existing road to resource impacts, and reduces future maintenance costs. Soil restoration is planned on 476 acres to improve soil productivity and reduce adverse effects to aquatic resources. The amount and type of restoration treatments are the same as Alternative B. Restoration activities would occur in 21 subwatersheds, but does not provide an upward trend in aquatic habitat carrying capacity in all subwatersheds.

A site-specific Forest plan amendment would be made for soils to exceed the 20 percent detrimental soil disturbance from past activities, but to show a net improvement in soil conditions following implementation. Site-specific Forest Plan amendments would be made for fisheries/water quality with the following four provisions: (1) on 20 streams, allow concurrent fuels reduction activities with aquatic improvement activities with an upward trend; (2) update existing stream information on 5 streams; (3) on 5 streams, exceed sediment yield guidelines for the proposed fuel reduction and restoration activities, and; (4) suspend upward trend requirements on 1 stream.

1.6.5 ALTERNATIVE E – REDUCE DISTURBANCE AND AMENDMENTS

The alternative was developed from comments to the Red Pines DEIS. This alternative responds to concerns regarding the current condition of water quality and fish habitat in the Red River watershed, and proposed forest plan amendments. Fuel reduction treatments and temporary road construction were reduced in the Upper Red River subwatershed compared to Alternative D. This alternative was developed by modifying Alternative D. The amount of proposed road decommissioning and soil restoration were increased. No water quality amendment to suspend upward trend requirements would be needed.

This alternative proposes to treat 3,454 acres to reduce forest fuels by removing dead and dying lodgepole pine and live ladder fuels. Both temporary road construction (18 miles) and road reconditioning (79 miles) are planned. Road decommissioning is proposed on 104 miles of existing road to resource impacts, and reduces future maintenance costs. Soil restoration is planned on 577 acres to improve soil productivity and reduce adverse effects to aquatic resources. The amount and type of restoration treatments are the same as Alternative B. Restoration activities would occur in 21 subwatersheds, and provides an upward trend in aquatic habitat carrying capacity in all subwatersheds treated.

A site-specific Forest plan amendment would be made for soils to exceed the 20 percent detrimental soil disturbance from past activities, but to show a net improvement in soil conditions following implementation. Site-specific Forest Plan amendments would be made for fisheries/water quality with the following four provisions: (1) on 20 streams, allow concurrent fuels reduction activities with aquatic improvement activities with an upward trend; (2) update existing stream information on 5 streams; (3) on 5 streams, to exceed sediment yield guidelines for the proposed fuel reduction and restoration activities and; (4) suspend upward trend requirements on 1 stream.

The Alternatives

The five alternatives were analyzed by their effect to the substantive issue areas. Indicators were developed to compare the effects. The summary table below describes the proposed treatments and also shows the total acres to be treated by alternative. Alternative E, (the Selected Alternative, modified) includes both proposed watershed restoration actions, and additional watershed restorations actions that have been analyzed and may be implemented if funding is available (discretionary). The minimum watershed restoration that would be completed as part of the alternatives is displayed without parenthesis.

Table ROD-7 Alternative Overview for the Red Pines Project

Proposed Activity and Logging System			Alt. B	Alt. C	Alt. D	Alt. E	Alt.E-Mod
Acres of Fuel Reduction by Prescription Type[1]	Irregular Shelterwood / Shelterwood	Cable	2924	2165	1664	1191	1189
		Ground	979	824	681	681	681
	Clearcut	Cable	1073	864	621	622	622
		Ground	1324	1202	977	919	919
	Pre-commercial thin	Hand	166	120	42	42	42
	Total Acres Fuel Reduction		**6466**	**5129**	**3985**	**3454**	**3452**
Acres of activity fuels treatment[1]	Underburn		3603	2837	2159	1686	1684
	Broadcast burn		560	350	221	220	220
	Excavator Pile		2170	1893	1564	1505	1505
	Hand pile		134	95	42	42	42
Miles temporary road construction[2]			36	36	25	18	18
Miles road reconditioning[3]			92	92	79	79	79
Associated Restoration See Appendix H for details Proposed (Discretionary)			**Alt. B**	**Alt. C**	**Alt. D**	**Alt. E**	**Alt.E-Mod**
Miles existing road decommissioning[4]			99 (5)	93 (12)	86 (19)	104	104
Soil Restoration, including road decommissioing[4] (acres)			555 (26)	521 (63)	476 (108)	577	577
Mine rehabilitation (18 hard rock, 3 placer inactive sites)			21	21	21	21	21
Stream crossing improvement (sites) – Fish passage barriers, upgrade or replacement			43 (13)	43 (13)	43 (13)	43 (13)	43 (13)
Culvert/log bridge - removal (sites)			19 (2)	19 (2)	19 (2)	19 (2)	19 (2)
Riparian restoration (miles of stream)			20	20	20	20	20
Fencing (miles adjacent to streams)			1 (5)	1 (5)	1 (5)	1 (5)	1 (5)
In-stream fish structure maintenance (miles of stream)			8	8	8	8	8
Large Woody Material placement – instream (miles)			28	28	28	28	28
In-stream restoration (miles of stream) – "Narrows"			2	2	2	2	2
Recreation site improvement (acres)			15	15	15	15	15
Rock quarry restoration (site)			1	1	1	1	1
Sediment trap decommissioning (site)			2 (1)	2(1)	2 (1)	2 (1)	2 (1)
Forest Plan Amendments[5]							
SOILS			**Alt. B**	**Alt. C**	**Alt. D**	**Alt. E**	**Alt.E-Mod**
Site-specific amendment – number of amendments			1	1	1	1	1
FISHERIES/WATER QUALITY			**Alt. B**	**Alt. C**	**Alt. D**	**Alt. E**	**Alt.E-Mod**
Site-specific amendment - number of amendments			4	4	4	3	3

1 Appendix E contains unit-by-unit prescriptions and full treatment type descriptions.

2 Temporary roads would be decommissioned within one to three years of construction.

3 Road reconditioning covers a range of activities, such as surface blading, drainage repair, roadway brushing with occasional culvert installations, slump repairs and stabilization work.

4 Project road decommissioning covers a range of activities, from recontouring to abandonment. Soil restoration includes roads and adjacent impacted areas (acres).

5 Appendix D contains full description of proposed amendments

1.7 ALTERNATIVES CONSIDERED AND ELIMINATED FROM DETAILED STUDY

The Red Pines Interdisciplinary Team (IDT) considered a wide range of alternatives, however, further analysis and discussion rendered the following alternatives not feasible or outside the scope of this project. For specific discussions regarding the following, refer to the project file *Issue Development* discussions (dated May through June 2003) and *Alternatives Development* discussions (dated September 2003 and March through April 2004). The following alternatives were considered and eliminated from detailed study. The rationale for not considering these alternatives is contained in Chapter II, Section 2.3.1 of the FEIS.

- Helicopter Yarding
- Aquatic Restoration Only
- Defensible Space
- No Forest Plan Amendment for Appendix A
- Prescribed Burning Only

1.8 FINDINGS RELATED TO ENVIRONMENTAL LAWS AND REGULATIONS

To the best of my knowledge, my decision is consistent with all laws, regulations, and agency policy relevant to the Red Pines project. The following discussion is not an all-inclusive listing, but is intended to provide information on areas raised as issues or comments by the public or other agencies.

1.8.1 ALASKA NATIONAL INTEREST LANDS CONSERVATION ACT

The Alaska National Interest Lands Conservation Act (ANILCA) assures access to non-federally-owned lands within the boundaries of the National Forest System as is deemed adequate to secure reasonable use. The selected alternative is in compliance with ANILCA. The planned road decommissioning (104 miles) would not restrict access to non-federally owned land. Travel from non-federally owned land to federally owned land would not be changed from the existing access prescriptions for that road or trail.

1.8.2 CLEAN AIR ACT

Proposed burning activities would comply with state and federal air quality regulations. Compliance with mitigation measures and smoke management plans would result in no long term impacts (Chapter III, Section 3.3). These measures would protect air quality and comply with the rules, regulations, and permit procedures of the EPA and the IDEQ. Alternative E-Modified would comply with the provisions of the Clean Air Act and include design features to minimize impacts on air quality.

1.8.3 CLEAN WATER ACT

The objective of the Clean Water Act is to "…restore and maintain the chemical, physical, and biological integrity of the nation's waters." One of the Act's goals is to "…provide for the protection and propagation of fish, shellfish, and wildlife" and provide for "…recreation in and on the water" (33 U.S.C. 466 et seq., Title I, Section 101). Based on the analysis disclosed in this document, Alternative E-Modified is expected to satisfy the Clean Water Act. This project includes design and mitigation measures to ensure management activities maintain or improve watershed conditions (Chapter II). These features, including best management practices, are designed to maintain or improve soil, water, riparian and aquatic resources, including beneficial uses. Cumulatively this direction would ensure continued compliance with the Clean Water Act (Chapter III, Section 3.5 & Section 3.6).

The South Fork Clearwater Subbasin Assessment and Total Maximum Daily Load (TMDL) address water-quality-limited streams listed under Section 303(d) of the Clean Water Act. The TMDL was approved by the EPA in July 2004. The entire project area contributes to the South Fork Clearwater River, which is Section 303(d) listed for water temperature and sediment.

The selected alternative is expected to comply with applicable Clean Water Act and Idaho State Water Quality Standards through the application of project design measures, best management practices, and soil and water conservation practices (Project Design and Mitigation Measures, ROD Appendix A). An in-depth discussion of the effects of the project on aquatic resources is in FEIS Sections 3.5—Water Quality and Section 3.6—Fisheries, and the effects of the watershed improvements are analyzed in detail in FEIS Appendix H. The effects of the project on the South Fork Clearwater River are discussed in Section 3.5.7 of the FEIS.

The Environmental Protection Agency and Idaho Department of Environmental Quality were consulted on this project. Letters were received from IDEQ and EPA on the Red Pines DEIS, expressing concerns on the effects of the proposed alternatives. We have addressed these concerns with the development of Alternative E. On June 8, 2005, the Forest received a FEIS comment letter from Idaho DEQ regarding the project stating, "…that Alternative E appears to satisfy our original concerns and comply with the Idaho Water Quality Standards,…and appears to be consistent with the intent of the South Fork Clearwater River TMDL." Their concerns have been addressed with my decision.

1.8.4 Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act

The effects on threatened, endangered, proposed, candidate, and sensitive species have been analyzed. In compliance with the Endangered Species Act, consultation has been completed and the Forest has received two Biological Opinions and concurrence (Appendix B of this Record of Decision). Potential effects to listed species are disclosed in FEIS, Chapter III, Section 3.6-Fisheries and Section 3.15-Wildlife.

Threatened and endangered species are designated under the Endangered Species Act. It is the policy of Congress that all Federal departments shall seek to conserve endangered and threatened species and shall utilize their authorities in furtherance of this purpose (ESA 1531.2b). The Endangered Species Act also provides direction that federal agencies would consult on all activities that may affect listed species and/or their habitat.

The Magnuson-Stevens Act, Section 3, defines Essential Fish Habitat as "those waters and substrate necessary for fish for spawning, breeding, feeding, or growth to maturity." Pursuant to Section 305(b) of the Magnuson-Stevens Act and its implementing regulations (50 CRF 600.920), Federal agencies must consult with the National Oceanic and Atmospheric Administration - National Marine Fisheries Service (NOAA-NMFS) regarding any of their actions that may adversely affect Essential Fish Habitat. Federal agencies may incorporate an Essential Fish Habitat Assessment into Biological Assessments prepared for consultation under the Endangered Species Act.

The Red Pines project is in compliance with the Endangered Species Act. Biological Assessments were prepared for threatened and endangered species that could occur within the project area and potentially be affected by the project. Concurrence from U.S. Fish and Wildlife Service (USFWS) and NOAA-NMFS has been documented in the Biological Opinions (Appendix B of this Record of Decision). The following determinations of effect have been made for the selected alternative (Table R-8). The Biological Assessments and documentation of consultation are contained in the Red Pines project file and are summarized in FEIS Chapter III, in Sections 3.12 –Wildlife, and Section 3.6-Fisheries.

Table R-8 Summary of Effects Determinations for Threatened and Endangered Species

Species		Status	Determination of Effect
Fish	Snake River Fall Chinook Salmon (designated critical habitat)	Threatened	No Effect
	Snake River Steelhead Trout (designated critical habitat)	Threatened	May Affect, Likely to Adversely Affect
	Columbia River Bull Trout	Threatened	May Affect, Likely to Adversely Affect
Wildlife	Gray Wolf	Threatened (10(j))	Not Likely to Jeopardize Continued Existence
	Bald Eagle	Threatened	May Affect but Not Likely to Adversely Affect
	Canada Lynx	Threatened	May Affect but Not Likely to Adversely Affect

The Biological Opinion and concurrence from USFWS for the Red Pines Project (April 03, 2006) includes reasonable and prudent measures to avoid or minimize take of bull trout (section VII.C), and the non-discretionary terms and conditions required to implement those measures (section VII.D). It also includes discretionary conservation recommendations (section VIII). The mandatory terms and conditions become required design or mitigating elements for this decision, and thus ensure project compliance with the Endangered Species Act.

The Biological Opinion and concurrence from NOAA-NMFS for the project (August 22, 2006) includes reasonable and prudent measures to avoid or minimize take of steelhead, and the mandatory terms and conditions required to implement those measures. These terms and conditions also serve as the Essential Fish Habitat conservation recommendations required by the Magnuson-Stevens Act. These mandatory terms and conditions become required design or mitigating elements for this decision, and thus ensure project compliance with the Endangered Species Act.

Red River has been designated as a priority watershed, as directed by USFWS and NOAA-NMFS for recovery of Endangered Species Act listed fish species. These regulatory agencies issued Biological Opinions for Land and Resource Management Plans 1998 (USDI NOAA-NMFS, et al, 1988) with guidelines for priority watersheds. The selected alternative adheres to these guidelines (as discussed in the FEIS Section 3.6—Fisheries).

In addition, Red River is included as designated critical habitat for Snake River steelhead trout. The Snake River Basin steelhead Distinct Population Segment (DPS) was listed as a threatened species under the Endangered Species Act on January 5, 2006 (71 Federal Register 834), which replaced the Snake River steelhead Evolutionarily Significant Unit (ESU) previously listed in 1998. Critical habitat for the Snake River DPS was designated on September 2, 2005 (70 Federal Register 52630). Red River and the South Fork Clearwater River are included as designated critical habitat.

According to USFWS list #SL 06-0284 (letter received 3/01/2006), no threatened, proposed, or candidate plant species or their suitable habitat occurs within the project area. Consultation for listed plants is not warranted, and a Biological Assessment was not prepared for listed plant species. Alternative E-Modified would have no effect on any threatened, endangered or proposed plant species because there are no occurrences of these species and no potential habitat in the project area (FEIS, Chapter III, Section 3.10-Rare Plants).

1.8.5 ENVIRONMENTAL JUSTICE (EXECUTIVE ORDER 12898)

Executive Order 12898 (59 Fed. Register 7629, 1994) directs federal agencies to identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. Executive Order 12898 requires an analysis of the impacts of the proposed action and alternatives to the proposed action on minority and low-income populations. It is designed in part "…to identify, prevent, and/or mitigate, to the greatest extent practicable, disproportionately high and adverse human health or environmental effects of USDA programs and activities on minority and low income populations."

I have reviewed the effects of the Alternative E-Modified and find that these actions would have no disproportionate impacts on individual groups of peoples or communities. Implementation of the selected action would produce no adverse effects on minorities, Native Americans, or women. No civil liberties of American Citizens would be affected. Project specific consultations were held with the Nez Perce Tribe which holds treaty rights for hunting, fishing, and other activities on the Nez Perce National Forest (Response to Public Comments, Tribal Correspondence). The implementation of this project is expected to provide employment opportunities (FEIS, Section 3.18-Socio-Economics) in communities such as Elk City, Grangeville, Kooskia, Kamiah, Cottonwood, and Lapwai, Idaho. Some of these communities include minority populations that may benefit from the economic effects.

Based upon the analysis disclosed in this document, the selected alternative is in compliance with Executive Order 12898.

1.8.6 FLOODPLAINS AND WETLANDS (EXECUTIVE ORDERS 11988 & 11990)

Executive Orders 11988 and 11990 pertain to floodplain management and protection of wetlands. The selected alternative has project design and mitigation measures, and restoration activities that are expected to meet the intent and assist in the attainment of the objectives of these Executive Orders.

Alternative E-Modified is not expected to negatively change the functions or values of wetlands and floodplains as they relate to protection of human health, safety, and welfare; preventing the loss of property values, and; maintaining natural systems. Direct and indirect effects would occur on wetland areas and within stream floodplains during installation, replacement and/or removal of culverts/log bridges on existing roads. However these effects, both undesirable and beneficial, are expected to be insignificant. All wetlands would be protected through design features such as riparian conservation areas which conforms with Executive Order 11990. Riparian and floodplain function would be restored during streamside road decommissioning and instream improvement projects. Some human-created compacted and/or saturated areas that support riparian plant species on old landings, skid trails and roads may be altered in the soil restoration and road decommissioning projects. The functionality and distribution of natural wetlands should be enhanced with these activities. Any activities within wetlands or floodplains would also require consultation with the Environmental Protection Agency (EPA) and Army Corps of Engineers through the Dredge and Fill (404) permitting process (FEIS, Chapter III, Section 3.5 Water Quality). The goals of Executive Orders 11988 and 11990 would be met.

1.8.7 HEALTHY FOREST RESTORATION ACT

The Healthy Forest Restoration Act of 2003 (Public Law 108-148, December 3, 2003) gives direction to conduct hazardous fuels reduction projects on National Forest System lands. These projects are "aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watershed, and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and other purposes" (H.R. 1904). Specific direction for hazardous fuel reduction projects is found in Title 1 – Hazardous Fuel Reduction on Federal Land, Section 102 – Authorized hazardous fuel reduction projects (16 USC 6512). While this project is consistent with the intent of the Act, it was not scoped and is not considered a project authorized under the Act.

1.8.8 IDAHO FOREST PRACTICES AND STREAM CHANNEL PROTECTION ACTS

The Idaho Forest Practices Act regulates forest practices on all land ownerships in Idaho. Forest practices on national forest lands must adhere to the rules pertaining to the Act (IDAPA 20.02.01). The rules are also incorporated as BMPs in the Idaho Water Quality Standards.

The Idaho Stream Channel Protection Act regulates stream channel alterations between mean high water marks on perennial streams in Idaho. Instream activities on national forest lands must adhere to the rules pertaining to the Act (IDAPA 37.03.07). The rules are also incorporated as BMPs in the Idaho Water Quality Standards.

The Rules and Regulations Pertaining to the Idaho Forest Practices Act (IDAPA 20.02.01), Rules and Regulations and Minimum Standards for Stream Channel Alteration (IDAPA 37.03.07), and Forest Service Soil and Water Conservation Practices (FSH 2509.22) would be implemented, including those site-specific practices established for the area (Project Design and Mitigation Measures, Appendix A of the ROD).

Forest Service Soil and Water Conservation Practices, Forest Plan standards, and project design and mitigation measures (FEIS-Chapter II; Appendix A of the ROD) would be implemented to meet State and Federal water quality regulations. Implementation of Alternative E-Modified is expected to reduce existing sediment delivery to streams (in the long term). This alternative would comply with management direction including Forest Plan (as amended) Standards and Guidelines, the Clean Water Act, as well as Terms and Conditions prescribed in the Biological Opinions prepared for the Forest Plan and this project. Actions associated with this alternative would accomplish objectives noted in the Forest Plan and opportunities identified in the South Fork Landscape Assessment (SFLA), and the Red River Ecosystem Analysis at the Watershed Scale (EAWS). Based on the analysis disclosed in the FEIS and this ROD, Alternative E-Modified is expected to be consistent with the intent of the South Fork Clearwater River TMDL to reduce human caused sediment yield and improve shade conditions (FEIS, Chapter III, Sections 3.5 and 3.6, Appendix H).

1.8.9 INDIAN TREATY PROVISIONS AND CONSULTATION WITH TRIBAL GOVERNMENTS (EXECUTIVE ORDER 13175)

This Executive Order established a requirement for regular and meaningful consultation between federal and tribal government officials on federal policies that have tribal implications. One federally recognized Native American tribe expressed interest in activities proposed with the Red Pines project: the Nez Perce Tribe.

The Red Pines project is located within that area ceded to the United States in 1855 by the Nez Perce people. As a result of the 1855 Treaty, elements of Nez Perce culture such as tribal welfare, land, and resources were entrusted to the United States government. Commensurate with the Forest Service's authority and responsibility to manage resources of the National Forests is the obligation to consult, cooperate, and coordinate with the Nez Perce Tribe in developing and planning projects on National Forest system lands that may affect tribal rights (Executive Order 13175, Section 3a).

The Nez Perce Tribe has been actively involved with project development as well as ongoing activities in the project area, and the selected alternative would not conflict with any treaty provision or federal trust obligation. The Red Pines project was designed and modified as a direct result of consultation with the Nez Perce Tribe and other state and federal agencies to maintain or improve tribal treaty resources (hunting, fishing and gathering). The selected alternative would maintain or improve water quality and would limit the potential for short-term incidental losses of Endangered Species Act listed anadromous fish and bull trout. The project would create aquatic habitat conditions for long-term increases in abundance of these species. It would also create upland habitat conditions that are expected to maintain or improve populations of big game species in the area. It would maintain or improve native plant foods utilized by the Nez Perce Tribe. The project would not impose any restrictions on traditional

access rights of the Nez Perce tribal members or restrict, in any way, tribal members' abilities to continue to exercise the full range of treaty rights in the project area over the long term.

Government-to-government consultation with the Nez Perce Tribe included attendance and input throughout the planning process. The list below summarizes the consultation that has occurred during the development of this project.

- June 2003 - Information describing the Proposed Action and soliciting comments on that action was mailed to the Nez Perce Tribe.
- September 25, 2003 - An invitation to a field trip on October, 3, 2003 was mailed to the Nez Perce Tribe.
- May 27, 2004 - A letter explaining the combining of projects was mailed to the Tribe.
- August 2004 - Copies of the Red Pines Draft EIS were mailed to the Nez Perce Tribe.
- September 17, 2004 - Comments were received to the Nez Perce National Forests on the DEIS from the Nez Perce Tribe.
- April 5, 2005 - In addition to the written notifications and requests for comments identified above, the Deputy Forest Supervisor presented and discussed the proposal with the Nez Perce Tribal Executive Committee.
- April 5, 2005 - The Deputy Forest Supervisor and other Forest personnel met with Nez Perce Tribe Natural Resource Committee and the Department staffs to discuss the project.
- September 15, 2005 - Comments were received to the Nez Perce National Forests on the FEIS from the Nez Perce Tribe.
- June 29, 2006 - The Nez Perce Tribe participated in a field trip to the project area.

These meetings are an official part of the consultation process between the Nez Perce Tribe and the Nez Perce National Forest.

The tribal notification and/or subsequent consultation processes described above did not result in the identification of any adverse effects to tribal interests or treaty rights specifically associated with this project. Alternative E-Modified would not conflict with any treaty provisions.

1.8.10 Migratory Bird Treaty Act (MBTA) and Migratory Bird Conservation Executive Order (dated January 10, 2001)

Alternative E-Modified is in compliance and alignment with both the Migratory Bird Treaty Act (MBTA) and the Migratory Bird Conservation Executive Order (dated January 10, 2001) which authorizes activities including habitat protection, restoration, enhancement, necessary modification, and implementation of actions that benefit priority migratory bird species (Memorandum of Understanding Between USDA Forest Service and USDI Fish & Wildlife Service – 01-MU-11130117-128, January 16, 2001 designed to complement Executive Order 13186). The selected alternative complies with Executive Order 13186 because the analysis meets agency obligations. Despite the risks of limited, potential direct disturbance and localized impacts to nesting habitats of a few bird species within this landscape, the selected alternative is consistent with current interpretation of the MBTA applicable to disturbance of nesting songbirds. This alternative may however result in an "unintentional take" of individuals during proposed activities. However the project complies with the U.S. Fish and Wildlife Service Director's Order #131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for "take".

Effects to migratory bird species are analyzed and discussed in the FEIS Chapter III (Sections 3.12 and 3.12.9.3) of the FEIS. If new requirements or direction result from subsequent interagency memorandums of understanding pursuant to Executive Order 13186, this project would be evaluated to ensure that it is consistent.

1.8.11 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The requirements of NEPA, as specified in 40 CFR Part 1500, have been fully applied through this project planning effort. The DEIS and FEIS, and the comprehensive analyses and public involvement steps which they incorporate, comply with the letter and intent of NEPA. The FEIS analyses a reasonable range of alternatives, including no action, and discloses the expected environmental effects of each alternative within the context of identified issues. This ROD describes the selected actions and rationale for making these decisions. This project is in full compliance with the National Environmental Policy Act.

Cumulative Effects – Cumulative effects are discussed in the FEIS in Chapter III for each resource. FEIS Section 3.2 displays and discusses the recently past, current (or present), ongoing, or reasonably foreseeable future activities within the Red River and South Fork Clearwater River watersheds. If other projects occur in the future that significantly affect the basis of this decision, the decision would be amended.

1.8.12 NATIONAL FOREST MANAGEMENT ACT (NFMA)

1.8.12.1 SITE SPECIFIC FOREST PLAN AMENDMENTS

Implementation of Alternative E-Modified would require several site-specific forest plan amendments to the Nez Perce Forest Plan (1987), Appendix D of this Record of Decision (see also ROD, Section 1.3.5). Therefore my decision includes site-specific amendments that would:

Modify Soil Standard #2 specifically as it relates to my Red Pines decision to:

- Allow activities to occur and provide for soil restoration in detrimentally disturbed areas.

Modify Appendix A of the Forest Plan, specifically as they relate to my Red Pines decision to:

- Allow concurrent fuels reduction activities with aquatic improvement activities, with an upward trend in 20 streams.
- Update existing stream information and add previously omitted stream information in 5 streams.
- Allow a one-time exceedance of the sediment yield guidelines in Lower Red River.

See also Section 1.3.5 of this ROD, Appendix D of the ROD and Appendix D of the FEIS for more detailed information pertaining to these amendments. Direction found in 36 CFR 219.8(b) and FSM Section 1926.51 of the Forest Service Directives (http://www.fs.fed.us/emc/nfma/index5.html) gives guidance for determining what constitutes a “significant amendment” under NFMA. I have evaluated the following analysis in Appendix D of the FEIS and concluded that the proposed site-specific amendments described in detailed in Appendix D of the FEIS and this ROD do not constitute a significant amendment to the Nez Perce National Forest Plan. All amendments are site-specific to the Red Pines project. The public has been notified throughout the NEPA process.

1.8.12.2 CONSISTENCY WITH FOREST PLAN GOALS, OBJECTIVES, AND STANDARDS

The Nez Perce Forest Plan provides overall management direction for the Nez Perce National Forest, including:

- Multiple-use goals and objectives, and management standards and guidelines to achieve them.
- Monitoring and evaluation requirements to determine whether goals, objectives, and standards and guidelines are being met.
- Direction for management areas with similar management emphasis.

Overall Consistency

The selected alternative meets the goals and objectives of the Nez Perce Forest Plan, and is consistent with Forest-wide Standards (existing and amended) for Recreation, Visual Resources, Cultural Resources, Wildlife and Fish, Timber, Water, Soils, Riparian Areas, Wild, Scenic, and Recreation Rivers, Air Quality, Roads and Trails, and Protection, through project design and planning. (These are discussed at the end of each resource section in the FEIS, Chapter III, (Consistency with the Forest Plan and Environmental Law Sections 3.3.9; 3.4.7; 3.5.9; 3.6.9, 3.7.9; 3.8.7, 3.9.9; 3.10.10; 3.11.9; 3.12.10; 3.13.9; 3.14.9; 3.15.9;3.16.9; 3.17.4; 3.18.9).

The selected alternative provides for monitoring and evaluation to achieve the Forest Plan goals, objectives, and standards (FEIS, Section 2.4; 36 CFR 219.8(e)). The monitoring discussed in Appendix A of this Record of Decision relates to both project implementation and reaching project goals and Forest Plan monitoring requirements.

The selected alternative contributes to the Forest-wide Desired Future Conditions (pages II-13 to II-15 of the Forest Plan) by advancing the following Forest-wide Goals (from pages II-1 and II-2 of the Forest Plan). The following Forest-wide Goals apply to this project and would be met as follows in Tables R-9.

Table R-9 Consistency with Nez Perce Forest Plan Goals

Goal Number	Goal Summary	Progress Achieved By
1	Provide a sustained yield of resource outputs at a level that would help support the economic structure of local communities and provide for regional and national needs.	The selected alternative would generate wood products and timber, and support timber and fuels-related jobs. (See FEIS, Section 3.18—Socio-Economics.)
2	Provide and maintain a diversity and quality of habitat that ensures a harvestable surplus of resident and anadromous game fish species.	Under the selected alternative, watershed restoration activities would improve fish habitats. Reduced road density, increased large woody debris, improved pool habitat, riparian plantings, and removal of fish passage barriers (culverts) are planned. (See FEIS, Section 3.6-Fisheries.)
3	Provide and maintain a diversity and quality of habitat to support viable populations of native and desirable non-native wildlife species.	Viable populations would continue to be maintained on the Forest. Old growth standards and snag standards would be met or exceeded, and elk forage habitat would be improved as this project is implemented. (See FEIS, Section 3.12—Wildlife.)
4	Provide habitat to contribute to the recovery of Threatened and Endangered plant and animal species in accordance with approved recovery plans. Provide habitat to ensure the viability of those species identified as sensitive.	Habitats for Threatened, Endangered, and Sensitive plant and animal species would be maintained in the analysis areas. The proposed management actions would not adversely affect viability of existing sensitive plant populations. Impacts on wolves are expected to be small to negligible, and limited on lynx habitat. All lynx conservation measures would be met. (See FEIS, Section 3.10.7—Rare Plants and Sections 3.12.4.2 & Table III-76—Wildlife.)
5	Provide a wide range of dispersed and developed recreation opportunities and experiences by providing access, facilities, and education necessary to meet public demand.	The selected alternative would not exclude any of the existing recreational uses and would not affect recreation features within the analysis area. (See FEIS, Section 3.14—Recreation and Section 3.13 Transportation.)
6	Recognize and promote the intrinsic ecological and economic value of wildlife and wildlife habitats. Provide high quality and quantity of wildlife habitat to ensure diversified recreational use and public satisfaction.	The selected alternative would result in positive trends in elk habitat and anadromous fish habitat potential that may result in some degree of increase in this segment of the economy. Current levels of other recreation-based economic activities would not be appreciably affected. (See FEIS, Section 3.12 – Wildlife and Section 3.18—Socio-Economics.)

9	Provide firewood for personal use.	The selected alternative would provide firewood as a timber product, and would directly or indirectly affect access to firewood for personal use for a short duration.
10	Maintain air quality to meet or exceed applicable standards and regulations.	The selected alternative would affect air quality. Locally adverse and cumulative impacts to air quality can be expected if extensive prescribed burning occurs; however, these actions would also decrease particulate matter emissions from wildfires. Mitigation measures and procedures outlined in the North Idaho Smoke Management Memorandum of Agreement are intended to coordinate prescribed burning actions to avoid adverse cumulative effects on air quality. As a result Forest Plan Standards would be met. (See FEIS, Section 3.3—Air Quality.)
11	Locate, protect, and interpret significant prehistoric, historic, and cultural resources.	An appropriate heritage resource survey has been conducted for the project area. All 16 known sites within the project area have been evaluated and protection measures are in place for those sites eligible for the National Register of Historic Places. The Idaho State Historic Preservation Office has approved all evaluations and protection measures. (See FEIS, Section 3.15—Heritage.)
12	Provide a stable and cost-efficient transportation system through construction, reconstruction, maintenance, or transportation system management.	All roads planned for decommissioning were identified in the Red River Roads Analysis and are not required for future management needs. Only 7 of 104 miles of road proposed for decommissioning, are currently open to access by highway vehicles. (See FEIS, Section 3.13—Transportation.)
13	Protect resource values through cost-effective fire and fuels management, emphasizing fuel treatment through the utilization of material and using prescribed fire.	Some stands in the very frequent and frequent fire regimes would have either mechanical disturbance and/or fire returned to them. This would start to bring the treated stands back into their historic fire regime. In stands in the infrequent and very infrequent fire regimes, the disturbance would tend to maintain the normal fire return interval. The treatments would lower the acres in the project area classified as a high fire hazard, and would reduce the fuel loadings and continuity over the project area, potentially reducing the effects of a large-scale wildland fire. (See FEIS, Section 3.7—Fire/Fuels and Section 3.8 Landscape Ecology.)
14	Protect resource values through the practice of integrated pest management.	There are zones in the analysis area that have a moderate risk of weed expansion, with the transportation corridors as the primary spread pathway. The risk of expansion would be minimized through implementation of all design measures for noxious weeds and specified monitoring protocols. (See ROD, Appendix A—Design and Mitigation Measures, and FEIS, Section 3.11—Weeds and Non-Native Vegetation.)

18	Maintain soil productivity and minimize any irreversible impacts to the soil resource.	• About 108 acres of fuels reduction (mechanical yarding systems) are planned on soils highly susceptible to surface erosion. About 2 (249 discretionary) acres of fuels treatment would occur on lands confirmed as high risk for landslides. About 46 acres of temporary road construction on soil substrata highly susceptible to erosion are planned and would be decommissioned after timber harvest. (See FEIS, Section 3.4—Soils.) • Project design and mitigation measures were developed to minimize detrimental disturbance and erosion, with the objective of ensuring that activity areas meet Forest Plan soil standard 2, upon completion of the planned activities. (See ROD, Appendix A—Design and Mitigation Measures.) Monitoring and restoration requirements were established to verify compliance and to augment mitigation or restoration actions. (See FEIS, Appendix I)
19	Present diverse, natural-appearing landscapes to view throughout the Forest.	No changes in VQOs/SIL would result from the project. Current scenic integrity level (SIL) would remain moderate to very low. (See FEIS, Section 3.14.6.2, Indicator 1—VQO/ROS/SILS.)
20	Maintain or enhance stream channel stability and favorable conditions for water flow.	The planned timber harvest and temporary road construction are expected to have relatively little effect on channel morphology. The estimated slight increase in ECA and sediment yield to the prescription watersheds are at levels where little channel erosion or deposition is anticipated, and do not pose a risk to fish habitat. The actions are consistent with the entry frequency and sediment yield guidelines in Appendix A of the Forest Plan. Several stream crossing improvements should improve channel morphology conditions in their immediate vicinity. Some of the road decommissioning involves crossings and riparian areas; channel morphology should be improved in these areas. (See FEIS, Section 3.5-Water Quality and Section 3.6—Fisheries.)
21	Provide water of sufficient quality to meet or exceed Idaho State Water Quality Standards and local and downstream beneficial uses.	Modeled sediment yields in the peak activity year of 2005 all stay below Forest Plan sediment yield guidelines. The modeled chronic sediment yield over base is lower in 2012 than in pre-project conditions, reflecting the effect of decommissioning and improvements on existing roads. Other than sediment yield, there would be little change in most water quality parameters. Beneficial uses would be protected. Instream improvement work would be done in accordance with Idaho State Water Quality Standards, Section 404 Permit requirements and Stream Alteration Permit requirements. (See FEIS, Section 3.5 and 3.5.6.2 Sediment).
22	Protect or enhance riparian-dependent resources.	No timber harvest is proposed within streamside and wetland RHCAs and high-risk landslide prone RHCAs. PACFISH guidance would be applied to restoration actions within streamside, landslide prone, and wetland RHCAs. (See FEIS, Section 3.6—Fisheries and Section 3.12.7.5 Wildlife.)

The following Forest Plan Goals do not apply within the context of this project.

Goal Number	Goal Summary	Explanation
7	Protect and enhance identified, outstandingly remarkable values and free flowing condition of Wild and Scenic Rivers.	The approved project actions are not within or adjacent to the ½ mile eligible river corridor. Therefore this project would not pose any threats to outstanding resource values identified for South Fork of the Clearwater River. (See FEIS, Section 3.16—Wild and Scenic Rivers.)
8	Protect and enhance wilderness values and character in designated wildernesses.	No activities are planned in Inventoried Roadless Areas or in Wilderness Areas. Harvest activities at various levels and intensities are planned in areas with unroaded characteristics. (See FEIS, Section 3.17—Wilderness, Inventoried Roadless Areas, and Areas with unroaded characteristics.)
15	Allow surface occupancy for leasable mineral development where consistent with management goals.	Approved activities would not affect leasable mineral development.
16	Protect Forest resources to allow for their safe and orderly use.	The selected alternative would not affect the protection of Forest resources or law enforcement actions on the Forest.
17	Facilitate mineral exploration and development while protecting surface resources and environmental quality.	Approved activities would not affect mineral exploration and development.
23	Provide administrative sites and facilities that effectively and safely serve the public and accommodate the workforce.	Approved activities would not affect any administrative sites or facilities.

Forest Plan Amendment 20 (PACFISH)

The PACFISH Environmental Assessment amended the Nez Perce Forest Plan in 1995 and is incorporated as Amendment 20. PACFISH established riparian goals, riparian management objectives (RMOs), and defined riparian habitat conservation areas (RHCAs). It included specific direction for land management activities within riparian areas, wetlands, and landslide-prone terrain. The riparian goals directed the Forest to maintain or improve habitat elements such as water quality, stream channel integrity, instream flows, riparian vegetation, and several others. PACFISH also directed that “Best Management Practices” be applied to all land-disturbing activities, including prevention of soil erosion during land management activities.

No site specific analysis has been completed to modify PACFISH default buffers. RHCAs are 300 feet either side of fish bearing streams and 150 feet either side of non-fish bearing streams. Intermittent streams would be managed to Key Watershed standards.

1.8.12.3 NATIONAL FOREST MANAGEMENT ACT [AT 16 U.S.C. 1604(I)]

The National Forest Management Act and accompanying regulations require that several specific findings be documented at the project level. These are:

Forest Plan Consistency [16 U.S.C. 1604(i)] – *All resource plans must be consistent with the Forest Plan goals, objectives and standards.* Forest Plan goals, objectives and standards are displayed throughout the Final EIS. Consistency with these goals, objectives and standards is addressed most specifically in Chapters I, II, and III of the FEIS and in the preceding section of this decision (Section 1.9.12.2).

Suitability for Timber Production [16 U.S.C. 1604(k)] - *No timber harvest, other than salvage sales to protect other multiple values, shall occur on lands not suited for timber production.* No timber harvest would be scheduled on unsuitable land with this decision. Refer to Forest Plan III-37, III-38, and III-44. This project has not identified lands not suitable for timber production in the project area 36 CFR 219.12 a(2)).

Vegetation Management Requirements (FSM 1921.12).

The minimum specific management requirements for projects and activities that must be met in carrying out projects and activities for the National Forest System (NFS) are set forth in this section. Under ***16 U.S.C. 1604 (g)(3)(E),*** a Responsible Official may authorize site-specific projects and activities to harvest timber on NFS lands only where:

1. *Soil, slope, or other watershed conditions will not be irreversibly damaged.* These subjects are addressed in the FEIS in Sections 3.4, 3.5, and 3.6 (Soils, Watershed and Fisheries, respectively). With the application of design and mitigation measures, the project is expected to fully meet Forest Plan standards, as amended, for soils (compaction and erosion; Appendix A & D of the ROD). Soil restoration and road decommissioning would mitigate the effects of past and planned timber harvest and would slightly improve existing conditions. The project is expected to have short-term impacts on sediment yield (primarily from road work and soil restoration), followed by long-term improvements; all of the short-term impacts are expected to be within the Forest Plan guidelines.
2. *There is assurance that the lands can be adequately restocked within five years after final regeneration harvest (FSM 1921.12g).* This is discussed in the FEIS in Section 3.9.2.2, Vegetation and Appendix E, Treatments by Alternative. Natural or artificial regeneration would be used for planting following treatment.
3. *Streams, streambanks, shorelines, lakes, wetlands, and other bodies of water are protected from detrimental changes in water temperatures, blockages of water courses, and deposits of sediment where harvests are likely to seriously and adversely affect water conditions or fish habitat.* The selected alternative produces the desired effects through compliance with Forest Plan goals, objectives, standards and guidelines (Chapter III, Sections 3.5, 3.6 of the FEIS). This decision would follow direction from Forest Plan Amendment #20 – PACFISH which would protect streams, streambanks, shorelines, wetlands and other bodies of water through design and mitigation measures (Appendix A of the ROD). There are no lakes in the project area.
4. *The harvesting system to be used is not selected primarily because it will give the greatest dollar return or the greatest unit output of timber.* The estimated economic and timber outputs were determined and displayed in the FEIS in Section 3.18, Socio-Economic and were factors in my decision. The costs associated with the various vegetative treatments and watershed restoration actions are based on current local projections. However, the effectiveness of each alternative to meet the project purpose and need (to reduce hazardous fuels in the project area) while meeting Forest Plan standards for watershed conditions, was the primary consideration in my decision.

The proposed activities remove dead lodgepole pine and small understory trees to reduce fuels. It is not economically feasible to helicopter yard this type of material. High helicopter yarding costs and low value material eliminate the feasibility of this yarding option. A large portion of the proposed units are located on ridge tops and gentle ground where temporary roads could be easily and economically built. Ground based harvest systems would be used because they allow effective treatment forest fuels (FEIS Chapter II, Section 2.3.1.1).

A Responsible Official may authorize projects and activities on NFS lands using cutting methods, such as clearcutting, seed tree cutting, shelterwood cutting, and other cuts designed to regenerate an even-aged stand of timber, only where:

1. *For clearcutting, it is the optimum method; or where seed tree, shelterwood, and other cuts are determined to be appropriate to meeting the objectives and requirements of the relevant plan* ***[16 U.S.C. 1604 (g)(3)(F)(i)].*** Clearcutting, seed tree and shelterwood cut treatments would be used (Appendix E of this ROD). Even-age management is appropriate to meet the objectives and requirements of the Forest Plan and was determined to be the optimum method of management where prescribed with even-aged silvicultural prescriptions on 1,541acres with the Selected Alternative. Even-aged management has been proposed for those stands where no other treatment would meet Forest Plan objectives of improving growth and yield and reducing susceptibility to forest insects while protecting other resource objectives. Post treatment stocking would continue to meet Forest Plan standards.

2. *The interdisciplinary review has been completed and the potential environmental, biological, aesthetic, engineering, and economic impacts have been assessed on each advertised sale area and the cutting methods are consistent with the multiple use of the general area [****16 U.S.C. 1604 (g)(3)(F)(ii)].*** These goals are stated in Section 1.6.1.2 of the FEIS and vegetative manipulation as a means to the goals is discussed in Chapter III, Vegetation Section 3.9 and Socio-Economics Section 3.18 of the FEIS. How this decision implements and meets the goals of the Forest Plan are discussed in this decision in Section 1.12.2.2.

3. *Cut blocks, patches, or strips are shaped and blended to the extent practicable with the natural terrain* ***[16 U.S.C. 1604 (g)(3)(F)(iii)].*** This is discussed in the FEIS in Section 3.14, Recreation and Scenery Management. Vegetation treatment would change the appearance of some vegetation as seen in the distance. Visual quality objectives would be met with Alternative E-Modified.

4. *Cuts are carried out according to the maximum size limit requirements for areas to be cut during one harvest operation (FSM 1921.12e).* Direction in Forest Service Manual 2471.1 states that the size of openings created by even-aged silvicultural treatments in the Northern Rockies would normally be 40 acres or less, with certain exceptions. One of those exceptions includes catastrophic events such as fire, windstorms, or insect and disease attacks. In these cases, the 40-acre limitation may be exceeded without 60-day public review and without Regional Forester approval, provided the public is notified and the environmental analysis supports the decision.

   Implementation of the selected alternative would create some openings that are greater than 40 acres in size. All of these openings have been precipitated by the action of catastrophic events, in this case insect attacks and disease. The harvest units range in size from 1 to 166 acres in size. In several instances, the units are adjacent to other planned or existing units, and the cumulative opening size would exceed 40 acres. The Vegetation Section 3.9 and Appendix J of the FEIS, displays the analysis related to openings over 40 acres that would be created with implementation of the selected alternative. The documentation in the FEIS and the ROD constitutes public notification.

5. *Timber cuts are carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, esthetic resources, cultural and historic resources, and the regeneration of timber resources.* Within the fuel reduction treatments (Appendix E of the ROD) including the design and mitigation measures of Alternative E-Modified (Appendix A of the ROD), is the

direction for the protection of soil, watershed, fish, wildlife, recreation, esthetic resources, cultural and historic resources, and the regeneration of timber resources.

6. *Stands of trees are harvested according to requirements for culmination of mean annual increment of growth (**[16 U.S.C. 1604 (m)]; FSM 1921.12f; FSH 1909.12, ch. 60).*** Culmination of mean annual increment of growth does not apply to salvage or sanitation harvesting. The purpose of harvest is to reduce existing fuel loads.

Ecological Evaluation of Sustainability (FSH 1921.73)

*The overall goal of the ecological element of sustainability is to provide a framework to contribute to sustaining native ecological systems by providing ecological conditions to support diversity of native plant and animal species in the plan area **[36 CFR 219.10(b)].***

1. *Ecosystem Diversity.* Analysis of ecosystem characteristics in the project area has been completed in the FEIS, Chapter III, Sections 3.4-Soil Resource, 3.5-Water Quality, 3.6-Fisheries, 3.7-Fire, 3.8-Landscape Ecology, 3.9-Vegetation, 3.10-Rare Plants, 3.11-Weeds and Non-native vegetation and 3.12 Wildlife. From these analyses, I have determined ecosystem diversity would be sustained overtime in the Red Pines project area.
2. *Species Diversity.* Analysis of fish, plants and wildlife are in the FEIS (Chapter III, Sections 3.6-Fisheries, 3.10-Rare Plants, 3.12 Wildlife). As required under the Endangered Species Act (ESA), Biological Assessments have been prepared for federally listed fish and wildlife. I have received Biological Opinions and concurrence from the US. Fish and Wildlife Service and NOAA-Fisheries (Appendix B of this ROD). Biological Evaluations have been prepared for sensitive species (fish, wildlife, plant). Based on conclusions made in the Biological Assessments, Biological Evaluations, Biological Opinions and concurrence from regulatory agencies, I have determined that appropriate ecological conditions for threatened, endangered and sensitive species would be sustained overtime in the Red Pines project area.

Sensitive species are addressed for fish, plants, and wildlife (FEIS Sections 3.6, 3.10.7, and 3.12., respectively). Forest Service Manual (2670) provides direction for sensitive species management. The selected alternative incorporates design measures for sensitive species to ensure their presence throughout their range on Nez Perce National Forest lands and to ensure they do not become Federally listed as threatened or endangered (Appendix A of this ROD).

Assessments for fish and wildlife species viability in the Red Pines project area concluded short term changes in habitat were not expected to affect viability of any species. These assessments are located in the project file (Population Viability Assessment Upper South Fork Clearwater River, USFS July 2005; Draft Red Pines Compatibility with NFMA Requirements for Maintaining Wildlife Species Diversity September 2006).

National Forest Transportation System [16 U.S.C. 1608].

*Unless the necessity for a permanent road is set forth in the forest develop road system plan, any road construction of the National Forest System in connection with a timber contact or other permit or lease shall be designed with the goal of reestablishing vegetative cover on the roadway and area where the vegetation cover has been disturbed by the construction of the road, within ten years after the termination of the contract, permit or lease either through artificial or natural means **[16 U.S. C 1608(b)].***

*Roads constructed on National Forest System lands shall be designated to standards appropriate for the intended uses, considering safety, cost of transportation, and impact on land and resources **[16 U.S. C 1608(c)].***

A transportation plan, including a roads analysis process was completed with the Red River Ecosystem Analysis at the Watersheds Scale (EAWS). The analysis considered the current and future transportation needs. With this analysis tiered to the FEIS, I have decided to decommission 104 miles of road and construct 18 miles of temporary road. Decommissioning would include abandonment or re-contour methods. The intent of abandonment is to administratively decommission roads with out re-disturbing the road surface already in a stable condition. Temporary roads would be decommissioned

after use (within 3 years) and would be re-vegetated within ten years. A small portion of the roads planned for reconditioning would be decommissioned following use (9.6 miles of 79 miles). Based on these actions and analysis in the FEIS, I believe Alternative E-Modified meets the intent of the NFMA road requirements.

1.8.13 NATIONAL HISTORIC PRESERVATION ACT

The National Historic Preservation Act (NHPA) sets forth a framework for identifying and evaluating historic properties, and assessing effects to these properties (36 CFR 800 Subpart B). Section 101 of the National Environmental Policy Act (NEPA) requires the federal government to preserve important historic, cultural, and natural aspects of our national heritage. To accomplish this, federal agencies utilize the Section 106 process associated with the NHPA (codified in 36 CFR 800.3b and 800.8). Locally, the Nez Perce National Forest uses a programmatic agreement signed between Region-1 of the U.S. Forest Service, Idaho State Historic Preservation Office (SHPO), and Advisory Council on Historic Preservation to implement the Section 106 process.

Sixteen historic properties determined eligible for the National Register of Historic Places were identified in the project area. Twelve are related to the historical theme of mining settlement and technology. Project activities and/or their associated boundaries in the vicinity of these properties would be modified, as appropriate, to assure the avoidance of significant elements associated with these National Register properties. As a result, I have made a "no adverse effect" finding concerning cultural properties and the Red Pines project, per Stipulation V(d)(1) of the programmatic agreement. The Idaho SHPO has concurred with all avoidance measures associated with this "no adverse effect" determination.

Alternative E-Modified would have no direct or indirect effects on historically significant sites. Eleven previously identified sites would be protected under this alternative. The State Historic Preservation Officer reviewed the resource report, and determination of significance and effects through consultation. Any mitigation identified during consultation would be incorporated into the decision. The final determination of effects has been received from SHPO on March 17, 2003. (FEIS, Chapter III, Section 3.15 Heritage Resources, project file).

1.8.14 NOXIOUS WEEDS MANAGEMENT (EXECUTIVE ORDER 13112)

Analysis and evaluation of invasive plants in the Red Pines FEIS is based on direction contained in the Federal Noxious Weed law (1974) as amended, Executive Order 13112 for Invasive Species, Forest Service policy (2080), Northern Region Supplement (R1 2000-2001-1**)** Implementation of Integrated Weed Management on National Forest System lands in Region 1, and the Nez Perce National Forest Plan (II-7, II-20, II-26, III-6). In general, the Forest is directed to implement an effective weed management program with the objectives of preventing the introduction and establishment of noxious weeds; containing and suppressing existing weed infestations; and cooperating with local, state, and other federal agencies in the management of noxious weeds.

Executive Order 13112 on Invasive Species directs that federal agencies should not authorize any activities that would increase the spread of invasive species. There are zones in the analysis area that have a moderate risk of weed expansion, with the transportation corridors as the primary spread pathway. The selected alternative includes design features to limit the spread of invasive species (Chapter II) and specified monitoring protocols (ROD Appendix A—Design and Mitigation Measures, and FEIS Section 3.11-Weeds and Non-Native Vegetation). This project would require that integrated pest management methods be used to contain and control the spread of invasive species, following the R-1 Forest Service Handbook (FSH 2080).

1.8.15 WILD AND SCENIC RIVERS ACT

The Wild and Scenic River Act (Section 2(b)) specifies three classification categories: wild, scenic, and recreational. The potential classification of an eligible river is based on the condition of the river, and the adjacent lands, as it existed at the time of assessment determination. The selected alternative does not allow any developments or activities within the South Fork of the Clearwater River Corridor, a candidate for an eligibility study under the Wild and Scenic Rivers Act. The selected alternative would not alter the potential classification of the river into the National Wild and Scenic Rivers System prior to a suitability study. No activities are proposed inside the river corridor (FEIS, Section 3.16).

1.8.16 FINDINGS RELATED TO OTHER LAWS OR POLICIES

Energy Requirements and Conservation Potential of Alternatives - With relation to national and global petroleum reserves, the energy consumption associated with the selected alternative would consume an undetermined amount of fossil fuels in order to remove and transport products and to implement activities.

Federal Road Management Policy - Along with Federal regulations and Forest Service manual and handbook guidance, the Federal Road Management Policy (published in the Federal Register on January 12, 2001) defines agency policy regarding transportation systems. Terminology changes in the policy reflect the agency's emphasis on maintaining environmentally sound access. Additional elements of the policy direct agency officials to identify the minimum transportation system needed to administer and protect National Forest System lands, and to document this system through the use of road management objectives.

All roads planned for decommissioning were identified in the Red River Roads Analysis, in the Red River Ecosystem Analysis at the Watershed Scale (USDA Forest Service 2003), as not required for future management needs. These roads were selected for decommissioning primarily because of the resulting benefit to watershed health by returning the landscape to near natural state.

Forest Service Policies - The existing body of national direction for managing National Forests remains in effect. This action would contribute to the Forest Service Strategic Plan (2004).

Minerals - The selected alternative would have no effect on the availability of lands for mining under Federal mining laws and regulations.

Prime Range Land, Farm Land, and Forest Land - The alternatives considered are in compliance with the Federal Regulations for prime land. The definition of "prime" forest land does not apply to lands within the National Forest System. The project area does not contain any prime range land or farm land. Under the selected alternative, Federal lands would be managed with appropriate sensitivity to the effects on adjacent lands.

Wilderness and Roadless Areas - Congress and the Forest Service have identified Wilderness Areas and Inventoried Roadless Areas through past actions. None of the selected alternative's activities would occur within any Inventoried Roadless Area or Wilderness Area.

Wildlife - Proposed activities would not conflict with current or proposed Idaho Department of Fish and Game management plans.

1.9 PERMITS REQUIRED

Restoration activities including the removal or replacement of culverts or structures in the active stream channel requires a 401 certification from the Idaho Department of Environmental Quality. In certain instances, 404 permits from the U.S. Army Corps of Engineers may also be required. The applicable permits must be obtained prior to conducting the work. The permits sometimes contain additional site specific mitigations to minimize damage to the aquatic ecosystems. Appropriated dollars from the Forest Services annual budget is also required for implementation of restoration activities. No other permits, licenses, or authorizations are needed to implement the decision. Application for grants may be submitted to fund completion of restoration activities.

1.10 APPEAL PROVISIONS

This decision is subject to appeal pursuant to 36 CFR 215.7. A written Notice of Appeal meeting the requirements of Title 36 CFR 215.14 must be submitted (regular mail, fax, email, hand-delivery or express delivery) within 45 days of the date the legal notice of this decision is published in the Lewiston Morning Tribune (Lewiston, Idaho). It is the responsibility of the appellant to ensure their appeal is received in a timely manner. The publication date of the legal notice of the decision in the newspaper of record is the exclusive means for calculating the time to file an appeal. Appellants should not rely on date or timeframe information provided by any other source.

Notice of Appeal must be submitted to:

Mailing Address:
USDA Forest Service, Northern Region
ATTN: Appeal Deciding Officer
P.O. Box 7669
Missoula, MT 59807

Hand delivery or express delivery:
USDA Forest Service, Northern Region
Federal Building
ATTN: Appeal Deciding Officer
200 East Broadway
Missoula, MT 59807

Electronic appeals must be submitted to:
appeals-northern-regional-office@fs.fed.us

FAX: (406) 329-3411

The office business hours for those submitting hand-delivered comments are: 7:30 a.m. and 4:00 p.m. Monday through Friday, excluding holidays.

In electronic appeals, the subject line should contain the name of the project being appealed, “Red Pines Project”. An automated response will confirm your electronic appeal has been received and acknowledge the agencies confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of comments, it is the sender’s responsibility to ensure timely receipt by other means. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) to *appeals-northern-nezperce-regional-officer@fs.fed.us*. In the case where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

It is the appellant's responsibility to provide sufficient project- or activity-specific evidence and rationale, focusing on the decision, to show why my decision should be reversed. The appeal must be filed with the Appeal Deciding Officer in writing. At a minimum, the appeal must meet the content requirements of 36 CFR 215.14, and include the following information:

- The appellant’s name and address, with a telephone number, if available;
- A signature, or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the appeal);
- When multiple names are listed on an appeal, identification of the lead appellant and verification of the identity of the lead appellant upon request;
- The name of the project or activity for which the decision was made, the name and title of the Responsible Official, and the date of the decision;

- The regulation under which the appeal is being filed, when there is an option to appeal under either 36 CFR 215 or 36 CFR 251, subpart C;
- Any specific change(s) in the decision that the appellant seeks and rationale for those changes;
- Any portion(s) of the decision with which the appellant disagrees, and explanation for the disagreement;
- Why the appellant believes the Responsible Official's decision failed to consider the substantive comments; and how the appellant believes the decision specifically violates law, regulation, or policy.

If an appeal is received on this project there may be informal resolution meetings and/or conference calls between the Responsible Official and the appellant. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: *http://www.fs.fed.us/r1/projects/appeal_index.shtml*.

Individuals or organizations that submitted comments during the comment period specified at 215.6 may appeal this decision.

1.11 Implementation Date and Schedule

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

As documented in the planning record and subject to all applicable funding constraints, I intend to implement all activities covered by this Record of Decision within a ten year period. Activities that would be implemented are listed in Appendix E of the ROD and displayed on maps RP-1 and RP-2. I would use multiple funding sources and various contracting methods, to accomplish the activities included in this decision. All activities, including fuels reduction treatments, temporary road construction, road reconditioning and maintenance, and restoration activities would be scheduled for implementation. Over the life of the project, activities would occur simultaneously within multiple subwatersheds.

In order to reduce fuel levels due to mountain pine beetle-induced mortality in the lodgepole pine stands, as describe in the FEIS, Socio-Economics (Chapter III, Section 3.18), it is important that implementation of the fuel reduction treatments begin as soon as possible.

I intend to implement fuels reduction treatments and restoration activities in a manner that allows for a balanced implementation of these activities and to be consistent with the intent of the Biological Opinions on the project from NOAA Fisheries and U.S. Fish and Wildlife Service. Implementation of the "Planned" restoration activities would be implemented concurrently with the fuels reduction related aspects of the action or before (as described below & Appendix B of the ROD). "Discretionary" restoration activities may be implemented as funding allows (FEIS, Chapter II, pages 2-8 to 2-9). If stewardship contacting is utilized to conduct these actions, the restoration activities would be a portion of the contract. By necessity, the fuel reduction treatments would begin prior to the restoration activities due to the contracting provision under the stewardship authority. I would actively manage this situation to begin restoration activities as soon as possible under this approach and keep them concurrent with fuel reduction and timber sale activities.

The various types of restoration work (Appendix E of the ROD) would be implemented in the following manner.

- Road-related activities, mine site reclamation, and riparian plantings that can be completed independently of fuel reduction or timber sale actions may be implemented at any time during the life of the project.
- Road-related activities that are needed for the fuel reduction must be scheduled with the timber sale actions or fuel reduction activities, and coordinated in a way that would not impede either.
- Instream and riparian restoration projects would require additional planning, designs, and permits. Implementation of the instream work would occur when required design work and permitting are completed.

Fuels reduction treatments may include implementation through the use of a timber sale contract. These contracts typically occur over a 3-5 year period. Implementation of all projects is expected over the next 10 years.

1.12 FURTHER INFORMATION

The project file is available for public review at the Nez Perce National Forest Supervisors Office, in Grangeville, Idaho. Contact the individuals listed below for additional information on this decision.

Terry Nevius, District Ranger Red River Ranger Station P.O. Box 416 Elk City, ID 83525-0416 (208)-842-2140	or	Jennie Fischer, Project Leader Nez Perce National Forest 1005 Highway 13 Grangeville, Idaho 83530 (208) 983-1950

1.13 RESPONSIBLE OFFICIAL SIGNATURE

I am the responsible official for the Red Pines Project.

Jane L Cottrell

JANE L. COTTRELL
Forest Supervisor

11/2/06
DATE

LIST OF ROD MAPS

LIST OF ROD APPENDICES